



IRF 21/4538

122-130 Pyrmont Bridge Road and 206 Parramatta Road Annandale Rezoning Review Summary report – PP-2021-5718

Rezone the land, increase the building height and FSR and introduce an additional permitted use to facilitate an 8 storey health services facility (GFA of 10,264sqm and approx. 500 jobs).

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Table 1 Reports and plans supporting the proponent's planning proposal dated June 2021

Relevant reports and plans
Planning Proposal FPD Pty Ltd June 25 2021
Urban Design Report Plans BVN June 2021
Urban Design Report addendum BVN Ground floor plan
Urban Design Report supplementary response to Council's peer review report (Appendix 1c) BVN 30 August
Draft Site-specific Development Control Plan FPD Pty Ltd 25 June 2021
Traffic and Transport Assessment MLA Transport Planning 25 June 2021 and updated drawing 20 August 2021
Heritage Assessment Architectural Projects May 2021
Sustainability Report Integral Group 16 June 2021
Acoustic Assessment West and Associates Pty Ltd 14 June 2021
Air quality Assessment eiaustralia 25 June 2021
Contamination Remediation eiaustralia 16 June 2021
Acid Sulfate Soils Management Plan eiaustralia 16 June 2021
Utilities Services Assessment Report Stantec Australia Pty Ltd 3 February 2021
Economic Impact Assessment HillPDA June 2021
Social Impact Statement HillPDA June 2021
Site Survey Dunlop Thorpe & Co 30 March 2016

1 Rezoning Review – Briefing Report

Date of request	8 October 2021	
Department ref. no	PP-2021-5718	
LGA	Inner West	
LEP to be amended	Leichardt LEP 2013	
Address	122-130 Pyrmont Bridge Road, 206 Parramatta Road Annandale	
Reason for review	☐ Council notified the proponent it will not support the proposed amendment	☒ Council failed to indicate support for the proposal within 90 days, or failed to submit the proposal after indicating its support
Consultation	29 April 2021 – Pre-lodgement meeting with Council. 27 May 2021 – Council issues letter sent to proponent. 30 June 2021 – The proponent lodges a planning proposal with Inner West Council prepared by FPD Pty Ltd dated June 2021 (the initial planning proposal). 21 September 2021– Inner West Local Planning Panel (the Local Panel) considered a planning proposal prepared by Council dated September 2021 (Council's proposal) (Attachment F), informed by an independent urban design peer review by Design Inc. The Local Panel indicated it did not support the initial planning proposal. The Local Panel unanimously supported Council's proposal, subject to changing: - to the site-specific LEP provisions to achieve minimum floorspace of 9,000 sqm of floorspace associated with health, education, research, technology, and creative uses; and - the inclusion of a percentage figure for retail uses in the proposed site specific provisions. 8 October 2021 – A rezoning review request is submitted to Department of Planning Industry and Environment (the Department) by the proponent of the initial planning proposal. 11 October 2021 – the Department sends the rezoning review request to Council for comment. 5 November 2021 – Council provides comments on the rezoning review request to the Department.	
Department contact:	Alexander Galea - Senior Planning Officer	

2 Planning Proposal

Table 1 Overview of planning proposal

Element	Description
Site Area	2,570m ²
Site Description	The site: • 122-128 Pyrmont Bridge Road - Lots 3,4,5,6 and 12 DP 976387: ○ double storey commercial building, eastern portion contains an at-grade customer car park with security fencing; and ○ frontages to Pyrmont Bridge Road / Parramatta Road to the south, and Cahill Street to the north. • 130 Parramatta Road - Lot 100 DP1101482: ○ double storey commercial building; and ○ frontages to Pyrmont Bridge Road / Parramatta Road to the south, and Cahill Street to the north. • 206 Parramatta Road - Lot 1 DP 539271: ○ double storey commercial building; and ○ frontages to Pyrmont Bridge Road / Parramatta Road to the south, Cahill Street to the north, and Mathieson Street to the west. The commercial buildings are occupied by retail tenancies. The site is located opposite a 7-Eleven Petrol Station on Pyrmont Bridge Road. The site is close to the WestConnex Dive site which is earmarked for redevelopment as a health, research and education building following completion of WestConnex. The site is located near the Royal Prince Alfred Hospital and has access to several bus routes along Parramatta Road, connecting to RPA Hospital, Sydney CBD and the wider transport network. The site has access to existing and planned pedestrian and cycle routes, including along the Johnstons Creek corridor.
Proposal summary	The rezoning review request seeks to rezone the site from IN2 Light Industrial to B5 Business Development (B5 zone), introduce a maximum building height of 35m, amend the floor space ratio control from 1:1 to 4:1, and introduce an additional permitted use for retail premises on the ground floor with up to 1,000sqm of floor area. A summary of the amendments proposed in the initial planning proposal, Council's proposal and the rezoning review request are provided at Attachment B. The rezoning review request intends to facilitate a health services facility of up to eight storeys to support the strategic objectives for the Camperdown Precinct of the NSW Government's Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).

	The rezoning review request states that it supports the strategic objectives for the Camperdown Ultimo Collaboration Area to establish a Camperdown Biomedical and Biotechnology Hub and to enhance medical innovation, research and health services to support RPA Hospital. Additional outcomes as stated in the rezoning review request are: • To provide for ancillary café and retail uses at the ground floor to enhance street activation and passive surveillance; • To deliver design excellence for this important gateway site; • To enhance the streetscape and increase canopy cover and green cover through provision of new street trees along Mathieson Street and rooftop green cover at podium level; and • To deliver infrastructure contributions appropriate to the proposed uses. The proponent has prepared a draft site-specific development control plan and the planning proposal would be subject to local infrastructure contributions under the former Leichhardt LGA Section 7.12 Development Contributions Plan. The proponent notes that the scope of a Voluntary Planning Agreement (VPA) to deliver public benefits is generally agreed with Council. The Department understands the proponent has not yet submitted a formal letter of offer associated.
Relevant State and Local Planning Policies, Instruments	• Eastern City District Plan • Camperdown Ultimo Collaboration Area Place Strategy • PRCUTS: ○ Parramatta Road Corridor – Planning and Design Guidelines ○ Parramatta Road Corridor – Fine Grain Study ○ Parramatta Road Corridor – Implementation Plan 2016-2023 ○ Parramatta Road Corridor – Infrastructure Schedule ○ Parramatta Road Corridor – Urban Amenity Improvement Program • Inner West Local Strategic Planning Statement • Inner West Employment and Retail Lands Strategy • Draft Camperdown Land Use and Employment Strategy • State and Regional Development SEPP • Infrastructure SEPP • Ministerial Direction 1.1 Business and Industrial Zones • Ministerial Direction 3.4 Integrating land use and transport • Ministerial Direction 4.1 Acid Sulfate Soils • Ministerial Direction 6.3 Site Specific Provisions • Ministerial Direction 7.3. Parramatta Road Corridor Urban Transformation Strategy. PRCUTS Implementation Update July 2021- outlines that a Gateway can be issued prior to finalisation of a precinct traffic study.



Figure 1 Subject site highlighted yellow (source: nearmap)

The rezoning review request's proposed amendments to the Leichardt LEP 2013 are detailed below:

Table 2 Current and Proposed controls

Control	Current	PRCUTS	Original proposal (June 2021)	Council Proposal (September 2021)	Rezoning Review Request (October 2021)
Zone	IN2 Light Industrial	B5 Business Development	B5 Business Development	B5 Business Development	B5 Business Development
Maximum height of the building	Not defined	32m	32m	Incentive height of 35m	35m

Control	Current	PRCUTS	Original proposal (June 2021)	Council Proposal (September 2021)	Rezoning Review Request (October 2021)
Floor space ratio	1:0	4:1	4:1	Incentive FSR of 4:1	4:1
Minimum lot size	N/A	N/A	N/A	N/A	N/A
Number of dwellings	N/A	N/A	N/A	Local provision linking incentive height and FSR to prohibition of residential accommodation, serviced apartments, or, tourist and visitor accommodation	N/A
Number of jobs	Approximately 145	N/A	Approximately 179	Approximately 179	Approximately 500 (combined construction and operational)
Reclassify land from	N/A	N/A	N/A	N/A	N/A

Control	Current	PRCUTS	Original proposal (June 2021)	Council Proposal (September 2021)	Rezoning Review Request (October 2021)
Additional Local provisions	Business premises or office premises in the IN2 must be for a creative purpose, including media, advertising, fine arts and craft, design, film and television.	Active frontage to Parramatta and Pyrmont Bridge Road	N/A (the proposal notes that an active frontage will be provided to Parramatta Road but does not propose any changes to the LEP)	Provision that links incentive height and FSR to criteria including (but not limited to): minimum 9,000sqm of health services facilities, maximum 1,000sqm of retail, 8 storeys, 6m setback to Mathieson Street, 3m to Cahill Street, active frontages to Parramatta Road, Pyrmont Bridge Road and Mathieson Street, 6-star Green Star, concurrence for state infrastructure. (refer Attachment B for details)	Provision for a maximum of 1,000sqm of retail premises on ground floor (and draft DCP)
Additional permitted uses	N/A	N/A (the planning and design guide states: Both Parramatta Road and Pyrmont Bridge Road will contain retail and commercial activities)	Retail premises on the ground floor	Retail premises	Retail premises on the ground floor

Department Comments on PRCUTS

The site is located within the Camperdown Precinct in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). PRCUTS recommends a B5 zone for the site, a maximum height of 32m and a floor space ratio control of 4:1. Refer to **Attachment C** for the relevant PRCUTS maps.

The PRCUTS Implementation Update July 2021 allows planning proposals to progress to Gateway and Exhibition prior to completion of a precinct traffic studies. This is also reflected in the updated Section 9.1 Ministerial Direction 7.3 Parramatta Road Corridor Urban Transformation Strategy.

3 Key Issues

Issue no. 1

Council and the Local Panel do not support the proponent's planning proposal

Council view

- Council did not support the initial planning proposal and so prepared Council's proposal based on an independent urban design peer review. Council's proposal includes detailed design recommendations which it states would achieve better outcomes than those anticipated by the PRCUTS.
- Council's proposal states that it aims to provide quality public domain outcomes commensurate with the proposed growth of employees and visitors in Camperdown and will help protect the redevelopment potential of surrounding sites. Council states that the proposed built form controls take the existing and desired future character, heritage, recent development, and development potential in the area into consideration. Other provisions included in Council's planning proposal are:
 - A new landscaped public plaza and "Shared Zone" along Mathieson Street to link with Council's proposed Shared Zone along Cahill Street/Lane;
 - Footpath widening and associated land dedications along Cahill Street, Mathieson Street, Parramatta Road and Pyrmont Bridge Road to contribute to public domain improvements; and
 - Enhanced sustainability and building performance targets including a 6-Star Green Star Building to contribute to delivering Council's vision of a low carbon Net Zero Camperdown Precinct.

Proponent view

- The rezoning review request states that it has strategic and site specific merit as it is consistent with strategic objectives for the Camperdown-Ultimo Health and Education Collaboration Area as set out in the Eastern City District Plan, the Camperdown Ultimo Place Strategy, and the Inner West Employment and Retail Lands Strategy, including the protection of employment generating lands to support the Collaboration Area, and the transition of Camperdown into a health, education and innovation precinct including a biomedical and biotechnology hub.
- The rezoning review request acknowledges that the proposal is within one of the four priority areas for which the Minister established the Project Delivery Unit in July 2020 with the intent to fast track the delivery of the Parramatta Road Corridor Strategy: Allowing planning proposals and development applications to begin being lodged that will deliver up to 27,000 new homes and 50,000 jobs along Parramatta Road.
- The rezoning review request states it is consistent with the recommendations for land use and planning controls for Camperdown as recommended by the PRCUTS.
- The rezoning review request states that the highly modulated and articulated built form will minimise the building bulk and scale and the delivery of a design excellence building will ensure that the development has a positive visual and streetscape impact.
- The rezoning review request states that it has been developed with consideration of the existing and future context surrounding the site and appropriate setbacks have been established to provide adequate separation, particularly from existing residential uses.

- The rezoning review request states that a Sustainability Strategy has been prepared to support the proposal to ensure that the future development of the site achieves a high level of ecological sustainability.
- The rezoning review request states that to meet the Sustainability objectives the proposal includes a commitment to deliver a building which achieves a 4-star Green Star building rating.
- The rezoning review request states that the proposal also seeks to achieve Net Zero Certification from the Green Building Council of Australia, once the Net Zero program for each organisation has been released.

Issue no. 2

Proposed height controls

Council view

- Council's proposal includes a height of 35m (equivalent to 8 storeys), which it states is considered the maximum height that can be accommodated on the site without adverse visual amenity impacts. Council's proposals states this includes an additional 3m above the recommended height in PRCUTS of 32m to achieve higher floor to floor heights for non-residential uses and an allowance for lift over runs and plant room. Council's proposals states that the proposed LEP will limit the building height to a maximum of 8 storeys as envisaged by PRCUTS.
- Council states that the variation to PRCUTS is the result of a rigorous urban design review process and detailed site-specific testing which demonstrates that the proposed development will deliver a better outcome than that envisaged in the PRCUTS.

Proponent view

- The initial planning proposal proposed a maximum height of 32m (equivalent to 8 storeys). The proposal states this is consistent with the height recommended in the PRCUTS.
- The rezoning review request seeks a maximum height of 35m / 8 storeys for the site.

Issue no. 3

Site-specific provisions

Council view

- Council is concerned that both the initial planning proposal and rezoning review request do not provide certainty that a genuine health/ medical facility, with no adverse amenity impacts, will be delivered on the site.
- Council does not support any amendment to the site-specific incentive provisions relating to improving public domain and built form in Council's proposal. Council also does not support the removal of Council's proposed site-specific provision to prohibit residential, tourist and visitor accommodation.
- Council states its proposal was informed by an independent peer review by DesignInc. and site testing to maintain development feasibility, allow transition of the site to a health facility and protect the redevelopment potential of surrounding sites.
- Council states its proposal introduces an incentive floor space ratio of 4:1 and incentive building height of 35m (equivalent to 8 storeys) conditional to development satisfying the requirements of the proposed site-specific provisions.
- Council states that including the site-specific provisions in the LEP strengthens the requirement to consider environmental, urban design, public domain and traffic impacts prior to granting consent to any additional development capacity above the existing LEP controls.
- Council considered the site-specific provisions to be a better fit under the LEP to give it more status given the significance of this site in the Camperdown Health and Education Precinct.

Council note this is consistent with Council's approach for recent Leichhardt LEP amendments such as Chester Street, Annandale.

- Council states that removing its site-specific provisions does not guarantee Council and the community that the applicant will achieve these outcomes at the development application stage.

Proponent

- The proponent states a site-specific draft Development Control Plan (DCP) has been prepared to outline detailed built form controls which would guide future development on the site.
- The proponent states that the delivery of public benefits (as outlined in the Council's proposed site-specific provisions) would be more appropriate to be delivered through a VPA.
- The rezoning review request proposes the inclusion of a site-specific provision to allow a maximum 1,000sqm of retail floor space on the ground floor.
- The rezoning review request disagrees with the proposed incentive height and FSR provisions and restrictions to future uses which is considers unnecessarily complicated and inconsistent with Ministerial 9.1 Direction 6.3 Site Specific Provisions.
- The rezoning review request notes that 'Technology' and 'Creative Uses' are not defined under the Act.
- The rezoning review request notes that public benefits described in the site-specific control have been agreed but asserts that these are better placed in a VPA than site specific control.

Issue no 4

Proposed B5 Business Development Zone

Council view

- Council does not support a B5 zone without tying the redevelopment to specific uses for the Camperdown precinct. Council states that the B5 zone permits uses unrelated to health and education and would disregard the Local Panel's decision to provide minimum 9,000sqm for health, education, research, technology, and creative uses.
- Council is concerned that if a B5 zone is applied without incentivising development for health and education related uses, Camperdown would lose its status as a "specialist precinct" in the Collaboration Area and Eastern Sydney's Innovation Arc. Council has indicated it intends to pursue incentive mechanisms as part of its future LEP amendment for the Camperdown precinct.
- Council states the initial planning proposal and rezoning review request have been submitted prior to Council's Structure Plan and associated LEP amendment being completed. Council are concerned this may jeopardise the future potential of the wider area as a specialist health and education precinct and set the wrong precedent for future development of surrounding sites.
- Council states that the proponent has not clarified which specific uses under the B5 zone are intended to be pursued on this site which do not fall in the health, education, research, technology, and creative sectors.
- Council states that the Local Panel's recommendation with reference to the B5 zone targeted health, education, research, technology, and creative sectors as the primary use of the development will allow for greater flexibility and stronger alignment with strategic planning policies including PRCUTS, Camperdown-Ultimo Collaboration Area Place Strategy, and Inner West Council's Local Strategic Planning Statement.
- Council states that the prescribed specific uses are considered consistent with the objectives of the B5 zone and the upcoming changes to employment zones under the Department's Employment Zones Reform framework.
- Council states that prohibiting residential accommodation, tourist and visitor accommodation is to enable future redevelopment of the site while prohibiting any residential or commercial uses that

could limit the availability of employment land, and affordable spaces for innovation, research, creative industries and artists and collaborative projects.

- Council notes that the draft Inner West LEP 2020 has not been updated to prohibit tourist and visitor accommodation in the B5 zone. The proposed site-specific provisions to restrict residential and commercial uses would remove the risk of development occurring which may not be consistent with the policy vision of Camperdown as a health and education precinct.

Proponents view

- The proponent states the proposal seeks to amend the Leichhardt LEP to be implement the recommendations of the PRCUTS by including the B5 zone in the LEP, consistent with the Draft Inner West Local Environmental Plan 2020.
- The rezoning review request notes that Council is preparing a master plan for Camperdown to inform an amendment to the LEP but considers it appropriate that the planning proposal progress ahead of the master plan as the proposal is consistent with strategic direction to establish a biotechnology hub and the recommendations of PRCUTS.
- The proponent states that during pre-lodgement consultation, Council indicated their preference was to lodge the planning proposal with a B7 Business Park zone (B7 zone). The proponent states this would be inconsistent with the PRCUTS (which recommends the B5 zone for this site). To avoid potential delays, the proponent proposes to maintain consistency with the B5 zone recommended in the PRCUTS. The proponent notes that the B5 zone and B7 zone included in the Draft Inner West Council LEP 2020 permit and prohibit similar uses, and both would permit health/medical use. If Council are not supportive of serviced apartment in this precinct and for this proposal, the proponent suggests that Council include this prohibition as a condition of Gateway.
- The proponent notes:
 - that the proposed employment zones are currently on exhibition:
 - the new zones are expected to be introduced by September 2021 and will coexist with the existing zones for around a year; and
 - they will replace the existing business and industrial zones in LEPs in two tranches which is expected to finish by mid-2022.

ATTACHMENTS

Attachment A – Proponent’s rezoning review request dated October 2021

Attachment B – Summary of planning proposals

Attachment C – PRCUTS maps

Attachment D – Inner West Local Planning Panel minutes dated 21 September 2021

Attachment E – Proponent’s initial planning proposal dated June 2021

Attachment F – Council’s planning proposal dated September 2021

Attachment G – Council Comments to rezoning review request



12.11.2021

(Signature)

(Date)

Katrina Burley

Manager, Eastern and South Districts



12/11/2021

(Signature)

(Date)

Eva Stanbury

A/Director, Eastern and South Districts

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Senior Planning Officer, Eastern Harbour City

8289 6793

Attachment B

Proposed amendments	Proponents Initial Planning Proposal (dated June 2021)	Council's Proposal (dated September 2021)	Rezoning Review Request (dated October 2021)
Land Use Zoning	B5 Business Development	B5 Business Development *limited to certain uses	B5 Business Development
Maximum building height	32m (8 storeys)	35m (incentive provision linked to site specific provisions)	35m/8 Storeys
Floor space ratio	4:1	4:1 (incentive provision linked to site specific provisions)	4:1
Additional permitted use	Retail uses on ground floor	Retail premises uses up to 1,000sqm	Retail premises on ground floor
Site-specific provisions	N/A – draft site specific DCP prepared	Site-specific provisions relating to: - confirming the objective of the proposed amendments to encourage health, education and cultural sectors in the Camperdown-Ultimo Collaboration Area; - a minimum 9,000sqm of gross floor area (GFA) for health services facilities; - a maximum 1,000sqm of retail premises GFA; - prohibiting residential accommodation, serviced apartment, tourist and visitor accommodation; - providing a maximum 8 building storeys including lift overruns and services; - permits redevelopment of the land as an amalgamated site; - achieves an appropriate built form in terms of bulk, massing, height, separation, setbacks, amenity and modulation; - achieves a high standard of architectural design, materials and detailing appropriate to the building type and location; - provides publicly accessible setbacks of at least 6m to Mathieson Street and 3m to Cahill Street; - setbacks and active frontages to Mathieson Street, Parramatta Road and Pyrmont Bridge Road; - walking and cycling connections along Mathieson Street between Cahill Street	Provision for a maximum of 1,000sqm of retail premises on ground floor (and draft DCP)

Proposed amendments	Proponents Initial Planning Proposal (dated June 2021)	Council's Proposal (dated September 2021)	Rezoning Review Request (dated October 2021)
		and Parramatta Road and enhance safety through creation of a "Shared Zone" • at least 600sqm of new public open space/ landscaped plaza along Mathieson Street; • provides walking and cycling connections along Mathieson Street between Cahill Street and Parramatta Road and enhances safety through creation of a "Shared Zone"; • contributes towards community infrastructure through public domain improvements along Cahill Street, Pyrmont Bridge Road, Parramatta Road and Mathieson Street including footpath widenings, traffic calming, landscaping and water sensitive urban design; • includes end of journey facilities to support walking and cycling; • ensures that development will not significantly increase the amount of traffic on the adjoining street network; • incorporates mechanisms to reduce urban heat including green infrastructure such as deep soil gardens, vegetation, green roofs and green walls; • provides an environmentally sustainable 6-Star Green Star rated building; and • requires the Secretary's concurrence to be obtained prior to granting development consent for the purpose of assessing the need for contributions towards designated State public infrastructure in the Parramatta Road Corridor. In addition, Council requests that the Department impose a condition on any Gateway determination for the planning proposal to be reviewed following the outcomes of the current Parramatta Road Traffic and Transport Study.	