

2 March 2011

MARSDEN PARK PRECINCT ACCELERATION

1.0 REQUEST FOR REVIEW

On 11 February 2011, the Minister for Planning wrote to the Planning Assessment Commission (the Commission) requesting advice on the reasonableness of the Department's recommendation on the proposed acceleration of the Marsden Park Precinct in Sydney's Growth Centres under the Government's Precinct Acceleration Protocol (PAP).

The Commission consisted of Emeritus Professor Kevin Sproats and Ms Donna Campbell.

2.0 INFORMATION PROVIDED TO THE COMMISSION

The Commission was provided with the following documents to review:

- Chronology of the Marsden Park precinct PAP application;
- Exhibited Voluntary Planning Agreement (VPA) for the Marsden Park Precinct (exhibited 15 December 2010 to 7 February 2011). The parties of the VPA include: the Minister for Planning, Winten (No25) Pty Ltd and Woorong Park Pty Ltd (the developers);
- Explanatory Note for the Marsden Park Precinct Voluntary Planning Agreement;
- Letter from Winten Property Group (on behalf of Woorong Park Pty Ltd and Winten (No25) Pty Ltd, dated 2 February 2011) outlining their intention to proceed with the execution of the draft VPA; and
- Summary of the submission received from Western Sydney Conservation Alliance on the exhibited VPA.

On 25 February 2011, the Commission met with Mr Ian Reynolds and Mr Andrew Jackson from the Department of Planning for a briefing.

3.0 BACKGROUND

In 2005, the Growth Centres Commission (GCC) was established to oversee the release of land within the Growth Centres of South West and North West Sydney. In November 2008, the Growth Centres Commission was integrated into the Department now making these recommendations.

The Marsden Park Precinct is located in the Blacktown Local Government Area within the North West Growth Centre and has a total area of approximately 1900 hectares.

Winten Property Group lodged an application with the former GCC in 2008 to accelerate the release of the Marsden Park Precinct under the Government's Precinct Acceleration Protocol (PAP) ahead of the planned land release program being undertaken in the Growth Centres.

The PAP allows for the earlier release of additional land for urban development within a Growth Centre if the acceleration will not result in any additional cost to the Government. Proposals for the release of land under the PAP must also comply with Government planning and environmental policy.

The PAP consists of two stages. Stage 1 is an assessment of the proponent's ability and commitment to finance and deliver infrastructure for the precinct. If the proponent satisfies the requirements of Stage 1, the proposal moves to Stage 2 in which the Department provides the proponent with a package of requirements for the provision of infrastructure. These requirements form the basis of a planning agreement between the proponent and the Government.

In May 2009, Cabinet agreed to progress the Marsden Park Precinct to Stage 2 of the PAP process and to issue a draft requirements package that specifies the infrastructure to be provided by Winten Property Group if the precinct was accelerated.

In August 2010, the Department agreed to progress PAP proposals subject to a two planning agreement arrangement whereby:

- A first voluntary planning agreement commits the proponent to fund precinct planning and services planning prior to precinct release; and
- A second voluntary planning agreement in which the proponent commits to deliver regional infrastructure and services infrastructure to support the urban development of the precinct prior to exhibition of the planning documents and the subsequent decision by the Minister to rezone the precinct.

Note: The advice provided by the Commission is based on a review of the first voluntary planning agreement as outlined above.

The Department advised in the briefing that they were unable to determine whether any landowners in the Marsden Park Precinct had made political donations. As a matter of caution, the Department's recommendation to accelerate the release of the Marsden Park Precinct was referred to the Commission for advice due to the potential for political donations having been made by landowners.

4.0 COMMISSION'S COMMENT

The Commission members have examined the documents provided by the Department.

The Commission notes, in December 2010, Cabinet agreed to release the Marsden Park Precinct subject to the two planning agreement arrangement.

The Department advised the Commission that Blacktown Council has not provided a submission on the exhibited first VPA. As such, Council's views on the VPA and the Precinct acceleration are unknown.

In terms of the geographical context of the Precinct, the Commission considers the Marsden Park Precinct would be a reasonable extension of the Marsden Park Industrial Precinct, which is located to the south and was rezoned in November 2010.

During the briefing, the Commission also sought clarification from the Department on whether precinct planning would be undertaken for the entire Precinct, noting that the draft VPA applies only to the land being owned by Winten Property Group. The Department confirmed the precinct planning undertaken as part of the process would be on the basis of the entire Marsden Park Precinct and not solely for the future development of the land owned by the Winten Property Group.

5.0 COMMISSION'S RECOMMENDATION

Whilst the proposed acceleration of the Marsden Park Precinct will result in a change to the Government's initial preferred sequence of land release for the North West Growth Centre, the Commission recognises that it is consistent with the adopted North West Centres Structure Plan. The Precinct also adjoins the recently rezoned Marsden Park Industrial Precinct. On this basis, the Commission considers the Department's recommendations for the acceleration of the Marsden Park Precinct to be reasonable.



Emeritus Professor Kevin Sproats
PAC Chair



Donna Campbell
PAC Member