

30 August 2012

Director General
NSW Department of Planning and Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Mark Brown

**Australian Catholic University, Strathfield Campus
Concept Plan Application MP10_0231**

Response to Strathfield Draft Local Environmental Plan 2011

We write in response to the Department's request that we address Strathfield Draft Local Environmental Plan 2011 as part of the submission for Concept Plan Approval for Australian Catholic University, Strathfield Campus (MP10_0231).

Strathfield Draft Local Environmental Plan 2011

Strathfield Draft Local Environmental Plan (DLEP) 2011 was placed on public exhibition from 31 January – 21 March 2012. This was after the lodgement of the ACU Concept Plan on 22 December 2011 but prior to the submission of the Preferred Project Report (PPR) on 16 July 2012.

Under the current Strathfield Planning Scheme Ordinance 179 Albert Road is zoned 5(a) Special Uses (Ecclesiastical) and 167 Albert Road (Clancy site) is zoned part 5(a) Special Uses (School) and part 2 Residential A. Under DLEP 2011 179 Albert Road site is to be zoned SP2 Educational Establishment, while the Clancy site is to be zoned R2 Low Density Residential. Despite this proposed change, educational establishments will remain permissible with consent in the R2 zone under the provisions of State Environmental Planning Policy (Infrastructure) 2007, as set out in clause 5.12 of the DLEP.

DLEP2011 was reported to the Council meeting of 24 July 2012. The Council report notes that submissions received to DLEP2011 in relation to the ACU site included:

- Two form letters (count of 21 and 17 respectively) that suggested pursuing height and FSR controls for the site
- 14 individual submissions and 36 form letters all objecting to the retention of the special use zone.

Council's summary of key issues notes that *the draft LEP proposes to zone the ACU site from Special Uses 5(c) Ecclesiastical to SP2 Educational Establishment in accordance with the Department of Planning and Infrastructure planning circular (PN10-001) as this is consistent with the current approved use of the site. It has been recommended that Council further pursue the application of height and FSR controls for this site as an amendment to the LEP.*

Council's suggested amendments to DLEP2011 include:

- Minor (can be done under delegation) - *For the Australian Catholic University site: pursue the Department of Planning and Infrastructure to seek an exemption from*

'boarding houses' being included as a mandatory use in the R2 Low Density Residential zoned areas.

- *Planning Proposals - Council to further investigate and consult in relation to preparation of a Planning Proposal to apply height and FSR controls to the Australian Catholic University site as a potential amendment to the gazetted LEP.*

These amendments were adopted at the Council meeting of 31 July 2012.

In summary the DLEP as recommended for adoption will result in little change to the planning regime for ACU Strathfield. Notably DLEP excludes clauses similar to 41C and 61GA that relate to *development adjoining residential zones*, the former of which was addressed in the PPR. Approval of the Concept Plan for the site would specify height and setback controls of the kind to which Council refers in the recommended amendments.

We trust this satisfies the Department's requirements, but please do not hesitate to contact the undersigned should further information be required.

Regards



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cc Marea Nicholson – ACU
David Mitchell – Spectrum Partners