

20 December 2018

Cumberland Council
16 Memorial Ave
Merrylands NSW 2160

Planning Statement – Woodville Road, Merrylands East Neighbourhood Centre

1. Introduction & Background

Knight Frank Town Planning has been engaged by Merc Capital to prepare this Planning Statement to support a revised concept plan for our client's property known as the Merrylands East Neighbourhood Centre. The Centre is bounded by Woodville Road, Lansdowne Street and Highland Street at Merrylands (the subject site).

A Planning Proposal (PP) for the subject site was subject to a Department of Planning and Environment (DPE) Gateway Determination for which we provide the following background of progress to date:

- Gateway Determination was issued on 24 June 2016 for the PP to proceed with a proposed B4 Zone, 2:1 FSR and 31m height limit across the site, subject to conditions.
- The PP was exhibited from 15 January 2018 to 1 March 2018 with a proposed B4 Zone, 2:1 FSR and 31m height limit across the site in accordance with the Gateway Determination (including with conditions satisfied), and in accordance with Cumberland IHAP and Council meeting resolutions in September and December 2017.
- Council resolved on 18 July 2018 after the public exhibition to conditionally approve an amended PP for a split zoning which:
 - B2 Zone with 2.4:1 FSR and 31m building height limit over part of the site
 - R4 Zone with 1.5:1 FSR and 24m height limit over part of the site

This split zoning is inconsistent with the Gateway Determination limits design flexibility, impacting the amount of retail and commercial employment generating uses that can be provided on site.

The purpose of this Planning Statement outlines the planning, design merits and community benefits of a revised B4 Mixed Use zoning scheme prepared by Marchese Partners. This scheme is consistent with the design principles of the scheme endorsed by the DPE.

This Planning Statement should be read in conjunction with the following supporting documentation:

- Concept plans - Marchese Partners
- Economic and Social Assessment – Hill PDA
- Draft Statement of Offer for a VPA – Merc Capital

2. Key elements of the proposal

The revised proposal includes the following key elements:

- Mixed use scheme including retail, business, community and recreation uses at the ground and first level, and residential above
- Reduced residential units (200 less apartments), while providing an increase in employment opportunity (approximately 500 more jobs)
- New public local park
- Greening of Woodville Road and new streets
- Mix of residential units with communal rooftop gardens
- New street connections and internal linkages
- Affordable Key Worker Rental Housing (10-years)

The following planning controls are proposed across the site:

- B4 Mixed Use Zoning
- Maximum FSR - 2:1
- Maximum height of building - 31 metres (9 Storeys)

These controls are consistent with the original scheme submitted to Council in 2015.

3. Planning and Public Benefits

The revised design proposal includes the following planning and public benefits:

- **Public domain improvements**, including a public park, new streets, through-site linkages, 10m setback land dedication for greening of Woodville Road, increased public open space, improved street appearance and revitalisation of the precinct;
- **New land uses** to fill the 'gap' in the locality, providing additional retail, community and recreational uses;
- **Traffic and Transport improvements**, with signalisation of Woodville Road intersection with Lansdowne Street, new through-street connections to relieve existing pressure on Highland Road congestion; future bus interchange space within 10m Woodville Road setback land dedication area;
- **Ground level activation** through provision of new streets with ground floor active retail uses, public park and spaces, increased casual surveillance and public safety;
- **Improved pedestrian amenity** through increased interaction of the site with the street level, and improved walkability;
- **Increased separation distances** between the proposal and existing school and residences provided for by new streets and new public park;
- **Increased provision of low cost housing forms** including Affordable Key Worker rental housing;
- **New employment opportunities**, during both construction and operation. Noting that the revised scheme provides the opportunity for approximately 500 more jobs than the previous scheme;

- **Community infrastructure**, including a large childcare centre (up to 100 children), key worker housing, gymnasium, medical centre and public park;
- **Increased open space** and amenity through providing a new public park and embellishments and residential rooftop communal open space gardens;
- **Increased services** for the local community, including retail, medical, food and beverage, and childcare uses; and
- **Economic benefits** for the locality, as described in the accompanying Economic Assessment prepared by Hill PDA.

4. Relationship to the Surrounding Area

The revised proposal provides an appropriate density and built form for this key site, respecting the character of the surrounding area as follows:

- A variety of building heights provide a transition to the adjoining residential areas.
- Increased separation distances from adjoining school and residences with new streets and a public park to provide an improved relationship to existing educational and residential developments with reduced potential for overlooking and overshadowing, as detailed in the Shadow Analysis Marchese Partners – See Figure 1.
- Improved accessibility through new roads and street connections.
- With the shifting of the public park to the west of the site, this provides an improved scheme:
 - Potential for a direct connection from the school grounds to the park, resulting in improved safety and amenity for the school; and
 - Increased separation distances from the park to and buildings, providing greater solar access in the new park location compared to the former central park location.

Accordingly, the revised concept design provides an improved outcome for the precinct.



Figure 1: Shadow Analysis Marchese Partners

5. Design Merits

5.1. Consistency with the DCP Principles

As detailed below and in the accompanying plans prepared by Marchese Partners, the proposed revised scheme aligns with the Draft DCP Principles for the Woodville Road Neighbourhood Centre Precinct (2017).

DCP - Desired Future Character

The precinct has the following Desired Character, as stated in the DCP:

The development of the land is to facilitate the establishment of a “main street” for the development site, full line supermarkets and residential development that complements the surrounding residential areas at a density appropriate for the site, its location and development context. Development of the land is to contribute to the character and sustainability of the Woodville Road Neighbourhood Centre Precinct.

The proposal is entirely consistent with this Desired Character as follows:

- Active ground floor retail uses will provide an attractive main street, and will include a supermarket and other retail and business uses.
- The scale of the development is appropriate for this large corner site, providing a transition to the adjoining residential area through a variety of building heights.
- A large public park and improved public domain will contribute to the character and amenity of a people orientated precinct, and provide greater separation between the proposed mixed use development and surrounding residences and school.

DCP - Site Structure and Land use

The revised scheme is generally consistent with the Site Structure and Land Use Plan, but provides for an improved layout and scheme, better integrated with the surrounding precinct - See Figure 2 and the key features below:

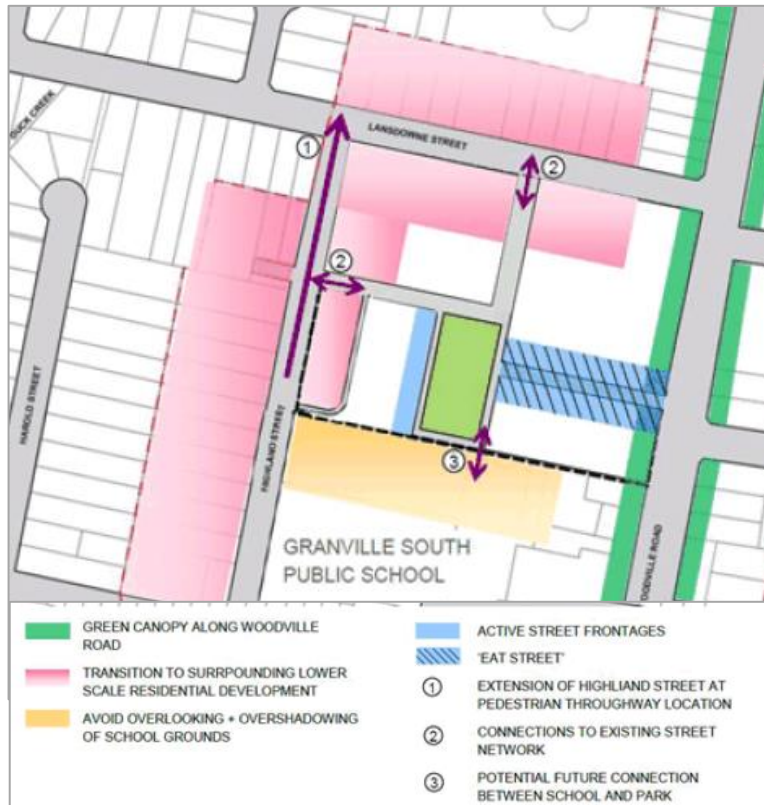
- A supermarket has been provided as shown with access from Lansdowne Road
- An ‘eat street’ has been provided at two sides of the new street, but shifted to the west of the site where the cafes and restaurant will overlook the new public park and green streets, providing an improved customer experience
- An internal retail mall will provide further food offerings and retail services
- Vehicles will exit only onto Woodville Road, with the main driveway access provided on Lansdowne Road
- Improved access and circulation will be provided through more direct street connections and traffic signals, providing new connections via Lansdowne Street, Highland Street and Woodville Road.



Figure 2. Site Structure and Land Use Plan – Draft Woodville Road Neighbourhood Centre DCP 2017, and Ground Floor Plan – Marchese Partners

DCP - Precinct Principles

As illustrated on the adjoining plans prepared by Marchese Partners (see extract below), the scheme is generally consistent with the DCP precinct principles, as follows:



Comments. Re. Revised Scheme

- Active street frontages over and above that suggested by the DCP provide a pedestrian friendly precinct
- New food and drink premises will provide a range of options, and provide two 'eat streets' largely overlooking the new public park providing an attractive place to dine
- Woodville Road and the new internal streets will be greened through new trees and street planting
- Potential future connection from school to the public park. By shifting the public park to the west of the site this provides greater safety for school children by separating the open space from the new roads and retail precinct
- New street connections will provide access to Lansdowne Street, Highland Street and Woodville Road.
- A variety of building heights (ranging from 4,5,7 and 9 storeys) and appropriate setbacks provide transition to the surrounding residential development
- Increased setbacks and the provision of two levels of commercial uses ensure the adjoining school grounds will not be overlooked

Figure 3: Precinct Principles - Draft Woodville Road Neighbourhood Centre DCP 2017, and Ground Floor Plan – Marchese Partners

5.2. Consistency with ADG Design Quality Principles

The concept has been designed to reflect the requirements of SEPP 65 Design Quality of Residential Apartment Development and the Apartment Design Guide, subject to future detailed design plans and a compliance assessment to be submitted to Council at the future Development Application (DA) stage.

The following table outlines how the revised scheme generally responds to the ADG Design Quality Principles:

| Design Quality of Residential Apartment Development | |
|---|---|
| Schedule 1 Design Quality Principles | How the Revised Scheme responds? |
| <p>Principle 1 – Context and Neighbourhood Character</p> <p><i>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i></p> <p><i>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p> | <ul style="list-style-type: none"> • The revised scheme aligns with the DCP's future character of the precinct as detailed above. • Better integration of the site with the surrounding precinct is providing by active ground floor retail uses throughout the site. In comparison, a split zoning would dedicate a large portion of the site to R4 High Density Residential with non-active uses at lower level. • A new public park will enhance the area, and adjoining school grounds. Through the relocation of the public park to the west of the site, the amenity of the adjoining residential area will be protected and improved. |
| <p>Principle 2 – Built Form and Scale</p> <p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p> | <ul style="list-style-type: none"> • The revised proposal will provide a variety of building heights, and provides an appropriate transition to the adjoining residential areas. • Greater separation between new buildings, the school grounds and nearby residential properties has been provided to ensure minimal overshadowing. • Improved street connections provide a walkable neighbourhood. |
| <p>Principle 3 – Density</p> <p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p> | <ul style="list-style-type: none"> • The proposal is an appropriate density for this corner location, providing an increase in employment use through a variety of retail, business and community uses, while also supporting population growth through increased housing supply. |
| <p>Principle 5 – Landscape</p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating</i></p> | <ul style="list-style-type: none"> • A new public park, communal rooftop gardens, and green streets provide increased amenity while improving the appearance of the area and increasing social interaction. • The solar amenity of the adjoining school grounds will be protected from overshadowing, as illustrated in accompanying overshadowing analysis prepared by Marchese Partners. |

| Design Quality of Residential Apartment Development | |
|---|---|
| Schedule 1 Design Quality Principles | How the Revised Scheme responds? |
| <p>water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks.</p> <p>Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity, provides for practical establishment and long term management.</p> | |
| <p>Principle 6 – Amenity</p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.</p> | <ul style="list-style-type: none"> • The revised scheme provides increased and generous setbacks, ensuring protection of amenity of the adjoining school and residential areas. • A new park and common open spaces provide enhanced residential amenity and access to sunlight. • Internal residential apartment amenity subject to detailed design in future DA and to comply with the Apartment Design Guide. |
| <p>Principle 7 – Safety</p> <p>Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p> | <ul style="list-style-type: none"> • The revised scheme provides improved safety through improved and traffic circulation that does not divide the new park from the school grounds. • Passive surveillance of the communal rooftop gardens will be provided through overlooking from the units above. • The 'eat street' and other business and residential units will provide passive surveillance of the public park to increase public safety and security. |
| <p>Principle 8 – Housing Diversity and Social Interaction</p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents</p> | <ul style="list-style-type: none"> • A diversity of housing will be provided including key worker housing and a mix of apartment types, providing housing choice for a range of household types. • Large rooftop gardens, overlooked by residential units above, provide opportunities for safe social interaction amongst residents. • The mixed use scheme provides a mix of commercial, recreational and community uses within the podium levels and includes a portion of Key Worker Rental Housing, providing the opportunity for social interaction. |
| <p>Principle 9 – Aesthetics</p> <p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p> | <ul style="list-style-type: none"> • The proposal provides an exemplar approach to a contemporary well-designed mixed use development, capable of achieving design excellence. • The revised scheme provides a balance of residential, recreational and commercial uses, ensuring a true mixed use proposal. • Detailed design plans will be provided at DA stage. |

Marchese Partners have confirmed that the scheme is capable of achieving consistency with the ADG, including the following key numerical requirements:

Clause 6A of SEPP 65 and Parts 3 & 4 of ADG

- (a) visual privacy, 2F – Building Separation
- (b) solar and daylight access, ADG 4A-1 Solar and Daylight Access
- (c) common circulation and spaces, 3D – Communal and Public Open Space
- (d) apartment size and layout, in accordance with clause 30(b) of SEPP 65 and 4D of ADG
- (e) ceiling heights, in accordance with clause 30(c) of SEPP 65 and Part 4C of ADG
- (f) private open space and balconies, ADG Objective 4E-1
- (g) natural ventilation, ADG 4B - Natural Ventilation
- (h) storage. 4G-1 of ADG

Clause 30(a) of SEPP 65 and Part 3J of ADG

Car parking in accordance with minimum specified in Part 3J of the Apartment Design Guide

Clause 28 SEPP 65

Design Quality Principles, as addressed above
Building Separation, ADG Part 2F

2E – Building Depth

Maximum apartment depths of 12-18m from glass line to glass line

2F – Building Separation

Minimum separation distances for buildings are:

Up to four storeys (approximately 12m):

- 12m between habitable rooms/balconies
- 9m between habitable and non-habitable rooms
- 6m between non-habitable rooms

Five to eight storeys (approximately 25m):

- 18m between habitable rooms/balconies
- 12m between habitable and non-habitable rooms
- 9m between non-habitable rooms

Nine storeys and above (over 25m):

- 24m between habitable rooms/balconies
- 18m between habitable and non-habitable rooms
- 12m between non-habitable rooms

3D – Communal and Public Open Space

An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping

1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)
2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)

ADG 4A-1 Solar and Daylight Access

1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas
2. In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter

ADG 4B - Natural Ventilation

All habitable rooms are naturally ventilated

1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed

ADG 4C - Ceiling Heights

1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

| Minimum ceiling height for apartment and mixed use buildings | |
|--|---|
| Habitable rooms | 2.7m |
| Non-habitable | 2.4m |
| For 2 storey apartments | 2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area |
| Attic spaces | 1.8m at edge of room with a 30 degree minimum ceiling slope |
| If located in mixed used areas | 3.3m for ground and first floor to promote future flexibility of use |

These minimums do not preclude higher ceilings if desired

4D – Apartment size and layout

1. Apartments are required to have the following minimum internal areas:

| Apartment type | Minimum internal area |
|----------------|-----------------------|
| Studio | 35m ² |
| 1 bedroom | 50m ² |
| 2 bedroom | 70m ² |
| 3 bedroom | 90m ² |

The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each

A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each

2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms

ADG Objective 4E-1 – Private Open Space

1. All apartments are required to have primary balconies as follows:

| Dwelling type | Minimum area | Minimum depth |
|-----------------------|------------------|---------------|
| Studio apartments | 4m ² | - |
| 1 bedroom apartments | 8m ² | 2m |
| 2 bedroom apartments | 10m ² | 2m |
| 3+ bedroom apartments | 12m ² | 2.4m |

The minimum balcony depth to be counted as contributing to the balcony area is 1m