

Rezoning of land at 11-19 Centenary Road Merrylands

Proposal Title : **Rezoning of land at 11-19 Centenary Road Merrylands**

Proposal Summary : **To rezone land at 11-19 Centenary Road and 15 Wyreema Street, Merrylands from R3 Medium Density Residential zone to R4 High Density Residential zone, increase the maximum height of buildings on the subject site from 11 metres to 15 metres, and increase the maximum floor space ratio from 0.85:1 to 1.2:1.**

PP Number : **PP_2016_HOLRO_004_00** Dop File No : **16/04365**

Proposal Details

Date Planning Proposal Received : **14-Mar-2016** LGA covered : **Holroyd**

Region : **Metro(Parra)** RPA : **Holroyd City Council**

State Electorate : **GRANVILLE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **11-19 Centenary Road and 15 Wyreema Street**

Suburb : **Merrylands** City : Postcode : **2160**

Land Parcel : **Lots 1 and 2 DP 597975; Lots 19, 20, 21, 22, 23 and 24 DP 2020**

DoP Planning Officer Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy : **Yes**

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MDP Number :

Date of Release :

Area of Release (Ha) 0.00

Type of Release (eg
Residential /
Employment land) :

N/A

No. of Lots : 0

No. of Dwellings
(where relevant) : 48

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government
Lobbyists Code of
Conduct has been
complied with : Yes

If No, comment : As far as the regional team is aware, the NSW Government Lobbyist Code of Conduct has been complied with.

Have there been
meetings or
communications with
registered lobbyists? : No

If Yes, comment : As far as the regional team is aware, there has been no meetings or communications with registered lobbyists.

Supporting notes

Internal Supporting
Notes :

Political donations disclosure laws commenced on 1 October 2008. The legislation requires the public disclosure of donations or gifts for certain circumstances relating to the Planning system.

"The disclosure requirements under the new legislation are triggered by the making of relevant planning applications and relevant public submissions on such applications.

The term relevant planning application means:

- A formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument..."

Planning Circular PS 08-009 specifies that a person who makes a public submission to the Minister or Director General is required to disclose all reportable political donations (if any).

The Department has not received any disclosure statements for this Planning Proposal.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The planning proposal is to rezone land at 11-19 Centenary Road and 15 Wyreema Street, Merrylands, from zone R3 Medium Density Residential to zone R4 High Density Residential to enable the redevelopment of the site for a four storey residential flat building containing up to 48 dwellings.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : It is proposed to amend the Holroyd Local Environmental Plan 2013 to amend the planning

- controls for the 8 lots at 11-19 Centenary Road and 15 Wyreema Street, Merrylands by:
- rezoning the land from zone R3 Medium Density Residential to R4 High Density Residential;
 - increase the maximum height of buildings from 11 metres to 15 metres; and
 - increase the floor space ratio from 0.85:1 to 1.2:1.

It is proposed to alter the following Holroyd Local Environmental Plan 2013 map sheets:

- Land Zoning map sheet LZN_006;
- Height of Building map sheet HOB_006; and
- Floor Space Ratio map sheet FSR_006.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? Yes

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Infrastructure) 2007

SREP (Sydney Harbour Catchment) 2005

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

The following Section 117 Directions apply to the planning proposal:

Section 117 Direction 3.1 - Residential Zones

The Direction applies as the planning proposal affects land within an existing residential zone.

The planning proposal is consistent with this Direction as it increases the residential density on the site, broadens the choice of building types on the site, and is located near, and makes an efficient use of, existing infrastructure and services.

Section 117 Direction 3.4 Integrating land use and transport

The Direction applies as the planning proposal will alter a zone relating to urban land.

The planning proposal is consistent with the aims, objectives and principles of:

- Improving Transport Choice - Guidelines for planning and development (DUAP 2001), and
- The Right Place for Business and Services - Planning Policy (DUAP 2001).

In particular, the planning proposal is consistent with this Direction as the site of the proposed change of zone from R3 Medium Density Residential zone to R4 High Density Residential zone is within walking distance of the Merrylands West local centre, local shops and services, and bus services to Merrylands Station.

Section 117 Direction 4.3 - Flood Prone Land

The Direction applies as a corner of the site is affected by the 1:100 Annual Exceedence Probability (AEP) event. This flood affectation does not affect the entire site, only a corner of the overall site.

The remainder of the site, which is not identified as flood affected, can be developed and the flood affected portion may be included within the building setback areas and not developed.

It is considered that the planning proposal is inconsistent with this Direction. Any inconsistency is of minor significance. It is therefore recommended that the Secretary's delegate agree to the inconsistency with this Direction.

State Environmental Planning Policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs, except for:

SEPP No. 55 - Remediation of Land

Under clause 6 of the SEPP, the relevant planning authority must not permit a change of zone, unless the planning authority has considered:

- (1) whether the land is contaminated;
- (2) if the land is contaminated, the planning authority must be satisfied that the land is suitable in its contaminated state, or will be suitable, after remediation; and
- (3) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be remediated before the land is used for that purpose.

The planning proposal intends to rezone the land from zone R3 Medium Density Residential to zone R4 High Density Residential. While the change of zone is from a residential zone to another residential zone, the site is currently not used for residential purposes and is a registered contaminated site due to past uses and specifically referenced underground (fuel storage tanks).

These storage tanks and the surrounding soil have been removed, and ongoing monitoring of residual contamination has been undertaken.

It is recommended that Council be advised in the Gateway determination letter it ensures that the development of this site is consistent with the requirements of SEPP 55.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment : The proposed amendment to the Holroyd Local Environmental Plan 2013 is a mapped based amendment. It is intended to amend Holroyd Local Environmental Plan 2013 map sheets:

- Land zoning map sheet LZN_006;
- Height of Building map sheet HOB_006; and
- Floor Space Ratio map sheet FSR_006.

Council has included in the planning proposal extracts of these maps identifying the current planning controls for the site and the surrounding area, and the proposed controls for the site and the surrounding area.

It is recommended that Council be advised in the Gateway determination and letter to prepare maps consistent with the technical mapping guidelines when finalising the plan.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment : It has been proposed to exhibit the planning proposal for 28 days in accordance with Council's community consultation requirements.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **There is adequate information to assess the planning proposal.**

Proposal Assessment

Principal LEP:

Due Date : **April 2013**

Comments in relation to Principal LEP : **Holroyd Local Environmental Plan was notified on 5 April 2013.**

The planning proposal is consistent with Holroyd Local Environmental Plan 2013.

Assessment Criteria

Need for planning proposal :

The planning proposal is not the direct result of a strategic study or report.

The amendment to Holroyd Local Environmental Plan 2013, entailing:

*** the rezoning of the site from zone R3 Medium Density Residential to zone R4 High Density Residential,**

*** an increase of height from 11m to 15m, and**

*** an increase of floor space ratio from 0.85:1 to 1.2:1**

is the best means to achieve the intended outcome to redevelop the site for a 4 storey residential flat building providing up to 48 dwellings.

Consistency with strategic planning framework :

STATE STRATEGIC PLANNING FRAMEWORK

The planning proposal is consistent with A Plan for Growing Sydney. Specifically, the planning proposal is consistent with a Plan for Growing Sydney as it will:

- accelerate the housing supply across Sydney;**
- accelerate urban renewal across Sydney by providing homes closer to jobs;**
- improve housing choice to suit different needs and lifestyles; and,**
- revitalise existing suburbs.**

LOCAL STRATEGIC PLANNING FRAMEWORK

The planning proposal is consistent with Council's local strategic plan "Living Holroyd: Community Strategic Plan 2013". In particular, the planning proposal is consistent as:

- it will provide housing in proximity to an existing urban centre; and**
- it is in proximity to public transport modes (direct access to bus stops for services connecting to train stations); and to major roads, which connect the site to the Merrylands City Centre, Parramatta and other centres for employment and services.**

Environmental social economic impacts :

ENVIRONMENTAL

VEGETATION

The planning proposal does not affect any critical habitats, populations or ecological communities.

FLOODING

It has been identified that the small corner of the site fronting Centenary Road and Wyreema Street, is affected by the 1:100 Annual Exceedence Probability (AEP) event. The remainder of the site is not flood affected.

It is considered that this minor flood affectation can be addressed at the development application stage, as flood level controls would be required to be incorporated as part of the design of any structure on the site.

LAND CONTAMINATION

It has been identified that the site is a registered contaminated site due to past uses and specifically reported underground (fuel) storage tanks.

These storage tanks and the immediate surrounding soil were removed in 2012. Periodic monitoring of residual contamination is being undertaken in accordance with the Remediation Action Plan (RAP) for the site.

A revised RAP has been prepared to reflect the proposed residential uses on the site. Council is satisfied that this revised RAP is acceptable for the proposed future residential use of the site.

It is recommended that Council be advised in the Gateway determination letter it ensures that the requirements of Clause 6 of SEPP55 are met.

TRAFFIC AND PARKING

The proposed development will result in increased traffic movement along local roads. It is not expected to result in a significant increase in traffic movement given the small scale of the proposal and the existing traffic volume.

It is recommended that Transport for NSW - Roads and Maritime Services be consulted during the public exhibition period.

The future redevelopment on the site will include onsite parking. It is considered that the proposed development will have minimal impact to on-street parking. This matter would be further addressed in any future development application on the site.

SOCIAL

AMENITY AND BUILT FORM

The development concept informing the planning proposal indicates the proposed future development of the site would include a single building of 4 storeys along the Centenary Road frontage, with open space behind the building (to the east).

The proposal is a logical extension of R4 High Density Residential zoned land to the south, however, to the east of the site, the land is currently zoned R3 Medium Density Residential, and beyond this R2 Low Density Residential.

To address any concerns of amenity for the low density residential, it is proposed to insert a floor space ratio at 1.2:1, which is lower than the FSR applied to surrounding R4 High Density Residential zoned areas to the south of the subject site.

The lower FSR would allow for a design that that may allow for greater public space or facade variation that could mitigate the perceived bulk and scale of the building.

The amenity and built form issues would be further addressed and considered in any future development application.

ECONOMIC IMPACTS

The future development on the site for a residential flat building will be as a result of the cessation of the St Vincent de Paul retail shop and storage facility. The proposed rezoning is to occur as this facility is intended to be relocated in the local area. The relocation of this facility would mean it is not a loss of an employment generating use, instead a shift in location.

It is considered that there are no significant economic impacts as a result of the proposed rezoning.

Rezoning of land at 11-19 Centenary Road Merrylands**Assessment Process**

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority **Transport for NSW - Roads and Maritime Services**
Consultation - 56(2)(d) **Sydney Water**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
signed letter and checklist - providing PP to Dept.pdf	Proposal	No
Planning Proposal - 11-19 Centenary Rd Merrylands.pdf	Proposal	Yes
11-19 CENTENARY ROAD, MERRYLANDS - proposed mapping amendments.pdf	Map	Yes
11-19 CENTENARY ROAD, MERRYLANDS - Council resolution.pdf	Proposal	Yes
11-19 CENTENARY ROAD, MERRYLANDS - Remediation Action Plan.pdf	Study	Yes
11-19 CENTENARY ROAD, MERRYLANDS - Traffic assessment.pdf	Study	Yes
11-19 CENTENARY ROAD, MERRYLANDS - Council letter regarding flood levels.pdf	Study	Yes
11-19 CENTENARY ROAD, MERRYLANDS - Groundwater monitoring.pdf	Study	Yes
Letter from applicant requesting planning proposal for land at 11-19 CENTENARY ROAD, MERRYLANDS.pdf	Proposal	No
11-19 CENTENARY ROAD, MERRYLANDS - initial planning proposal prepared by applicant.pdf	Proposal	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 4.3 Flood Prone Land
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **DELEGATION OF THE GREATER SYDNEY COMMISSIONS PLAN MAKING FUNCTIONS**

This planning proposal is considered to be minor in nature. It is accordingly recommended that authorisation of the Greater Sydney Commission's plan making functions be issued to Council in this instance.

INCONSISTENCY WITH SECTION 117 DIRECTIONS

It is recommended that the Director, Sydney Region West, as delegate of the Greater Sydney Commission, determine that the planning proposal's inconsistency with Section 117 Direction 4.3 - Flood Prone Land is of minor significance and is supported in this instance.

RECOMMENDATION

It is recommended that the planning proposal proceed subject to the following conditions:

1. A revised Land Zoning Map, Height of Buildings Map and Floor Space Ratio Map, consistent with the Department's "Standard Technical Requirements for Spatial Data and Maps" is to be submitted to the Planning Portal prior to finalisation of the proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW – Roads and Maritime Services, and
 - Sydney Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : The planning proposal will enable the redevelopment on the site for a 4 storey residential flat building that will provide up to 48 dwellings in the Merrylands West area close to public transport, shops and services.

Signature:



Printed Name:

T DORAN

Date:

26/4/16