

**To amend maximum building height, floor space ratio and land zoning controls at 42-44
Dunmore Street, Wentworthville**

Proposal Title : To amend maximum building height, floor space ratio and land zoning controls at 42-44
Dunmore Street, Wentworthville

Proposal Summary : This planning proposal seeks an amendment to Holroyd Local Environmental Plan 2013 (HLEP
2013) to increase the maximum building height and maximum floor space ratio at 42-44
Dunmore Street, Wentworthville, and rezone land to be dedicated as a public plaza, to SP2
Infrastructure.

PP Number : PP_2016_HOLRO_005_00 Dop File No : 16/05223

Proposal Details

Date Planning Proposal Received : 04-Apr-2016 LGA covered : Holroyd

Region : Metro(Parra) RPA : Holroyd City Council

State Electorate : PARRAMATTA Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 42-44 Dunmore Street

Suburb : Wentworthville City : Holroyd Postcode : 2145

Land Parcel : Lot 11 DP 746514

DoP Planning Officer Contact Details

Contact Name : Terry Doran

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RPA Contact Details

Contact Name : Natalie Stanowski

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DoP Project Manager Contact Details

Contact Name : Catherine Van Laeren

Contact Number : 0298601520

Contact Email :

Land Release Data

Growth Centre : Release Area Name :

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)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 480
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

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

If Yes, comment : A check of the Department's Lobbyist Contact Register on 27 April 2016, has not revealed any contacts made by registered lobbyists in relation to this planning proposal.

Supporting notes

Internal Supporting
Notes :

The planning proposal will facilitate the revitalisation of Wentworthville Town Centre by providing redevelopment opportunities for retail facilities and shop top housing as permitted in the current B2 Local Centre zone.

The proposed increases in height of buildings and floor space ratios will enhance the economic viability of the redevelopment.

External Supporting
Notes :

The planning proposal submitted by Council will result in the potential creation of approximately 480 dwellings with 9,700 square metres of retail and commercial floor space.

Additionally, the proposal will enable the development of an expanded supermarket (4000sq.m) and the provision of public open space, both on Dunmore Street and through the site.

Council and the community may benefit from a Voluntary Planning Agreement offer by the proponent to dedicate land for community space, 2,570 square metres of public open mall space (including embellishments), commercial space and a pedestrian crossing at Dunmore Street. This is in addition to future Section 94 development contributions.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The proposal seeks to facilitate the redevelopment of the site as envisaged in Council's draft Wentworth Centre Planning and Place Making Strategy which aims at revitalising the Wentworth Town Centre.

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to amend Holroyd Local Environmental Plan 2013 as follows:

1. Amend the maximum building height in the Height of Building Map (Sheet

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HOB_005) on the subject site from maximum 23 metres (6 storeys) to 68 metres (20 storeys) and 30m (8 storeys) fronting Pritchard Street East.

2. Amend the maximum floor space ratio in the Maximum Floor Space Ratio Map (Sheet FSR_005) on the subject site 2.4:1 to 4.5:1.
3. Amend part of the site on the Land Use Zoning Map (Sheet LZN_005) from B2 Local Centre Zone to SP2 Infrastructure Zone in order to create 'Dunmore Street Plaza' (on the frontage to Dunmore Street – 8 metres in depth).
4. Introduce a provision (under clause 4.4) into HLEP 2013 to encourage the supply of commercial floor space on the upper floors on the subject site through the provision of an FSR bonus of 0.5:1 i.e.
5. Introduce a provision (under clause 4.4) into HLEP 2013 to encourage the provision of a full line (i.e. 4,000 sq.m supermarket on the subject site) through the provision of an FSR bonus of 0.5:1.
6. Introduce design excellence provisions into the HLEP 2013 to encourage new developments to contribute to the urban and public domain character of the Wentworthville Centre. The new provisions would enable property owners to seek a variation to the allowable floor space ratio of up to an additional 0.5:1. For the purposes of this planning proposal, the clause shall only apply to the subject site, however, the clause has been structured to enable its application to other sites within Wentworthville Centre, pending the lodgement of a future planning proposal for Wentworthville Centre, as part of the Wentworthville Revitalisation Planning Project. Development proposals would be required to respond to certain specified in the planning proposal.

The abovementioned provisions can be achieved by inserting clauses into Holroyd LEP 2013 as specified in the planning proposal.

7. Further, an SP2 Infrastructure zone is also proposed along the Dunmore Street frontage. This involves proposed dedication to Council as part of a Voluntary Planning Agreement.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? No

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 (Infrastructure) 2007
 SREP (Sydney Harbour Catchment) 2005
 SEPP (Affordable Rental Housing) 2009

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

SECTION 117 DIRECTIONS

BACKGROUND INFORMATION

The planning proposal is consistent with all Section 117 Directions except with the following:

1.1 Business and Industrial Zones

The Direction is relevant as the proposal does not fully retain an area zoned for business purposes. However, as the proposal seeks to increase total potential floor space for employment uses, any inconsistency with the Direction is considered to be of minor significance.

It is therefore recommended that the delegate agree any inconsistencies are of minor significance.

6.2 Reserving Land for Public Purposes

The planning proposal seeks to rezone a strip of the existing B2 zone land along the Dunmore Street frontage of the site to SP2 Infrastructure, to a depth of 8 metres, for the provision of public space. The land is in the ownership of the proponent. It is intended that the land be dedicated through a local voluntary planning agreement.

It is noted that the planning proposal does not nominate an acquisition authority for the the land proposed to be zoned SP2.

The direction applies, as it will create a zone for a public purpose (i.e. SP2) and, consequently, it is necessary for the relevant planning authority and the Secretary to provide approval under this Direction.

Matter discussed with council officers and it was agreed that council will address this matter during the plan making process and will provide further advice to the Department during the process.

In these circumstances, authorisation for Council to exercise the Commission's plan making power at section 59 stage is not recommended.

It is also recommended that the delegate withhold approving the reservation at this stage and further consideration be given to this matter at the time Council submits the proposal to be made.

6.3 Site Specific Provisions

The planning proposal seeks to introduce three site specific provisions, as follows:

- . To encourage the supply of commercial floor space on the upper floors on the subject site through the provision of an FSR bonus of 0.5:1.
- . To introduce a provision (under clause 4.4) into HLEP 2013 to encourage the provision of a full line (i.e. 4,000 sq.m supermarket on the subject site) through the provision of an FSR bonus of 0.5:1.
- . To introduce design excellence provisions into the HLEP 2013.

Given the intent to revitalise the centre, no objections are held to the incorporation of this provisions into the local environmental plan and any inconsistencies with the Direction are considered to be of a minor nature.

It is recommended that the delegate agrees.

7.1 Implementation of A Plan for Growing Sydney

Under the Environmental Planning and Assessment Act 1979, Section 75A(1) states that, in preparing a planning proposal under section 55, the relevant planning authority is to give effect:

- (a) to any district plan applying to the local government area to which the planning proposal relates (including any adjoining local government area),
or
- (b) if there is no district plan applying to the local government area—to any regional plan applying to the region in respect of which the local government area is part.

There is no district plan currently applicable to the subject land, and, under Section 75AE(3), A Plan for Growing Sydney is taken to be the regional plan for the Greater Sydney Region.

The proposal is considered consistent with A Plan for Growing Sydney as the proposal seeks to provide appropriate development in this location.

State Environmental Planning Policies

It is considered that the planning proposal is not inconsistent with any relevant State Policies, however, given the potential for site contamination from fill material, on-site commercial uses and hazardous building material used in the construction of current and former buildings, it is recommended that Council be reminded of the need to comply with State Environmental Planning Policy No.55 - Remediation of Land.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The maps provided are sufficient for public consultation purposes.
In summary the proposal seeks to amend the following:

- Height of Buildings Map (Sheet HOB_005);
- Maximum Floor Space Ratio Map (Sheet FSR_005); and
- Land Zoning Map (Sheet LZN_005)

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council proposes to exhibit the planning proposal for 28 days, provide notice in a local newspaper, place information on Council's website, at Council's customer service centre as well as at the Merrylands and Wentworthville libraries.

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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Holroyd Local Environmental Plan 2013 came into effect in August 2013.**

Assessment Criteria

Need for planning
proposal :

The planning proposal is the only means of increasing the maximum height of buildings, floor space ratio, and rezoning of a small part of the site to SP2 Infrastructure.

Background

Council is currently undertaking the Wentworthville Centre Revitalisation Planning Project which is jointly funded by Council and the Department of Planning and Environment under Planning Reform Funding.

The planning proposal would assist in facilitating the implementation of the Project. However, it is noted that the planning proposal exceeds controls put forward in the associated draft Planning and Place Making Strategy. A comparison of various controls are shown in the comparison table - see documents. In summary, the main items are:

the proposal seeks a maximum height of 68m (approximately 20 storeys) and 30m (approximately 8 storeys), while the maximum height in the draft strategy Option c) is proposed at 61m (approximately 18 storeys) and 30m (approximately 8 storeys).

FSR of 4:1 (5:1 with bonuses) in the draft strategy (Option C) and 4.5:1 in the planning proposal (6:1 with bonuses).

The draft Strategy has identified that the current planning controls in the HLEP 2013 do not provide opportunity for redevelopment/renewal of the site. Consequently, redevelopment is not economically feasible at present.

The draft Strategy recommends a number of reasonable and justified controls which would allow feasible development of the site.

While the draft Strategy has been exhibited by Council, it has not been reported to a council meeting and has not been adopted.

The draft Strategy is discussed in the following.

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Consistency with strategic planning framework :

HOLROYD COUNCIL PLANNING AND PLACE MAKING STRATEGY:

The planning proposal is in part inconsistent with Holroyd Council's draft Planning and Place Making Strategy in relation to height of buildings and maximum floor space ratio.

The draft Strategy was informed by studies and community consultation and provided actions and recommendations to revitalise Wentworthville Centre. The draft Strategy is part of the Wentworthville Revitalisation Planning Project.

The draft Strategy, which is an important vehicle for the revitalisation of Wentworthville Town Centre as a focus for commercial retail activities and public transport, was exhibited by Council in 2015.

Council planners are preparing a comprehensive report for Council's consideration and resolution at a meeting scheduled to be held during July 2016.

The planning proposal is consistent with the draft Strategy as it:

- ☐ . highlights an intention to facilitate the redevelopment and revitalisation of a key site within Wentworthville Centre;
- ☐ . acknowledges the suitability of a large site in the core of the centre by indicating the provision of floor space for a full line supermarket anchor.
- ☐ . proposes a through site link between Dunmore Street and Prichard Street East;
- ☐ . indicates the provision of first floor commercial floor space, and
- ☐ . proposes a pedestrian crossing on Dunmore Street.

The planning proposal varies with the exhibited draft Strategy as it departs to a relatively minor degree from the proposed maximum building height and maximum floor space ratios and includes an additional FSR bonus, i.e. introduces an FSR bonus of 0.5:1 for design excellence.

☐ In recognition of the potential contribution of the planning proposal to the redevelopment and revitalisation of Wentworthville Town Centre, a merit assessment process was undertaken by Council's planning officers to explore the best outcome having regard to a number of planning and design criteria.

It was concluded that a building height of 20 storeys and bulk, as a result of the FSR controls:

- . holds urban design merit;
- . would not create any additional overshadowing impacts; and
- . would be consistent with the context of the centre and not compromise the intent of the draft strategy.

DEPARTMENT ASSESSMENT:

While the proposal exceeds the proposed maximum controls recommended in the draft Strategy, these variations are considered to be relatively minor.

The draft Strategy has been supported by a number of appropriate studies.

It also noted that the site is located some 150m to the Wentworthville Railway Station.

In these circumstances, it is considered that the planning proposal does hold merit and should proceed. However, as the draft Strategy has not been adopted by Council, it is considered that exhibition of the proposal should include the draft Strategy. This will allow the community and agencies to consider both matters and for the Council to finalise its deliberations in a holistic manner.

A PLAN FOR GROWING SYDNEY:

The planning proposal is consistent with A Plan for Growing Sydney. The consistency is discussed in detail above in Section 117 Direction 7.1 Implementation of A Plan for Growing Sydney.

DRAFT WEST CENTRAL SUB-REGIONAL STRATEGY 2007:

The planning proposal is consistent with the draft West Central Sub-regional Strategy 2007 (WCSRS 2007) identifies Wentworthville Centre as a village that will grow into a town centre as "surrounding areas undergo renewal and residential densities increase providing for changing demographics and economic trends".

The Planning proposal is consistent in enabling the growth of Wentworthville into a 'Town Centre'. The proposal is also consistent with the following applicable Strategy actions:

- ☐ B1.1 - Establish a typology of Centres.
- ☐ B2.1 - A Plan for housing in centres consistent with their employment role.
- ☐ C2.1 - Focus residential development around centres, town centres, villages and neighbourhood centres.
- ☐ C3.1 - Renew Local Centres to improve economic viability and amenity.

Environmental social
economic impacts :

ENVIRONMENTAL IMPACTS:

The development proposes significant visual and amenity improvements to the public domain by way of renewed urban form, increased connectivity, the creation of a new public area and associated landscaping. This planning proposal supports Council's initiative to revitalise the Wentworthville Town Centre.

SOCIAL IMPACTS:

The proposal will generate additional dwellings in close proximity to public transport, namely trains and buses, shops and local passive open space.

Community facilities including a library together with a health and medical facility, are proposed as part of development under the draft Strategy. Such facilities create activity and provide support for the physical health and well-being of a growing residential population, as well as, the existing needs of the surrounding community.

ECONOMIC IMPACTS:

The planning proposal will generate jobs during the construction period and on-going additional employment through the establishment and operation of a supermarket, and speciality shops which will serve the additional residents in new dwellings.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Department of Education and Communities Energy Australia Transport for NSW Fire and Rescue NSW NSW Police Force Transport for NSW - Roads and Maritime Services Sydney Water Adjoining LGAs		

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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
Council letter.pdf	Proposal Covering Letter	Yes
PLANNING PROPOSAL.pdf	Proposal	Yes
1a- Planning Proposal Report.pdf	Proposal	Yes
1b- Planning proposal report additional information.pdf	Proposal	Yes
1c- Concept design report.pdf	Proposal	Yes
1d- Urban Design Report.pdf	Proposal	Yes
1e- Social and Economic Benefits assessment.pdf	Proposal	Yes
1f- Advice value of bonus floor space.pdf	Proposal	Yes
1g- Traffic Report.pdf	Study	Yes
1h- Supporting traffic material.pdf	Study	Yes
1i- Stage 1 Environmental Site Assessment_EIS.pdf	Proposal	Yes
1j-Flood and Stormwater Management_Harris Page.pdf	Study	Yes
1m-Community consultation report.pdf	Proposal	Yes
1n- Impact Management Plan.pdf	Proposal	Yes
1o-Updated ground floor plan.pdf	Drawing	Yes
1p- Voluntary Planning Agreement- draft heads of agreement.pdf	Proposal	Yes
ATTACHMENT 2- BUSINESS PAPER - DCS007-16 - Planning Proposal Request for 42-44 Dunmore Street Wentworthville .pdf	Proposal	Yes
ATTACHMENT 3- Indicative Concept plans- revised.pdf	Drawing	Yes
ATTACHMENT 4- Height of Buildings Map- 42-44 Dunmore Street Wentworthville.pdf	Map	Yes
ATTACHMENT 5- Floor Space Ratio Map - 42-44 Dunmore St, Wentworthville.pdf	Map	Yes
ATTACHMENT 6- Land Zoning Map - 42-44 Dunmore Street Wentworthville.pdf	Map	Yes
ATTACHMENT 7- Design Excellence Map - 42-44 Dunmore St, Wentworthville.pdf	Map	Yes
ATTACHMENT 7-Planning and Placemaking Strategy.pdf	Proposal	Yes
ATTACHMENT 8- Shadow impact diagrams.pdf	Drawing	Yes
1k-Social impact assessment (2).pdf	Study	Yes
1L- Amended Social Impact Assessment (2).pdf	Study	Yes

Comparison Table.pdf	Study	Yes
Planning Team Recommendation Preparation of the planning proposal supported at this stage : Recommended with Conditions S.117 directions: 1.1 Business and Industrial Zones 3.1 Residential Zones 3.4 Integrating Land Use and Transport 4.1 Acid Sulfate Soils 4.3 Flood Prone Land 4.4 Planning for Bushfire Protection 6.1 Approval and Referral Requirements 7.1 Implementation of A Plan for Growing Sydney Additional Information : DELEGATION OF PLAN MAKING FUNCTIONS Council has requested that it exercise the plan making functions for this planning proposal. Authorisation of the function is not supported in this instance. In view of the need for Council to consider the proposal with the draft Wentworthville Centre Revitalisation Strategy and as the proposal involves satisfaction of s117 Direction 6.2, it is not recommended that authorisation be issued in this instance. INCONSISTENCY WITH SECTION 117 DIRECTIONS It is recommended that the Acting Executive Director, Regions, as delegate of the Secretary, agree that the planning proposal's inconsistency with Section 117 Directions: 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions are of minor significance. PLANNING PROPOSAL It is recommended the planning proposal proceed subject to the following conditions: 1. Where draft bonus clauses appear, the planning proposal is to be amended prior to public exhibition, to indicate that these clauses are examples provided for clarification purposes only and may be varied through the legal drafting stage. 2. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows: - the planning proposal must be publicly exhibited for a minimum of 28 days; and - 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 available along with planning proposals identified in section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Infrastructure 2012). 3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act: - Sydney Water; - Energy Australia; - Transport for NSW; - Department of Education and Communities; - Fire and Rescue NSW; - NSW Police Force; and - City of Parramatta Council. 4. Exhibition and consultation material is to include the draft Wentworthville Planning and Place making Strategy 2015 and supporting studies.		

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5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

6. The time frame for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

Supporting Reasons :

The planning proposal is supported as it will facilitate the urban renewal and revitalisation of the Wentworthville town centre, enhance pedestrian access to and from the train station through the proposed arcade.

Council and the community may benefit from a Voluntary Planning Agreement (VPA), as proposed by the proponent to provide 600 square metres of community space, 2,570 square metres of public open mall space (including embellishments), commercial space and a pedestrian crossing at Dunmore Street.

This is in addition to future Section 94 development contributions.

Signature:



Printed Name:

T DORAN

Date:

30/5/16

