

Neil Street Precinct, Merrylands

Proposal Title : **Neil Street Precinct, Merrylands**

Proposal Summary : **To amend specified planning controls under Holroyd Local Environmental Plan 2013 for the Neil Street Precinct (bounded by Pitt Street, Holroyd Gardens, the railway corridor and Terminal Place, as well as identified lots on the west of Pitt Street) within the Merrylands City Centre.**

PP Number : **PP_2016_HOLRO_002_00**

Dop File No : **16/04148**

Proposal Details

Date Planning : **23-May-2016**

LGA covered : **Holroyd**

Proposal Received :

Region : **Metro(Parra)**

RPA : **Holroyd City Council**

State Electorate : **GRANVILLE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Neil Street Precinct bounded by Pitt Street, Holroyd Gardens, the railway corridor and Terminal Place, as well as identified lots of the west of Pitt Street**

DoP Planning Officer Contact Details

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RPA 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 : **Metro West Central**

Consistent with Strategy : **Yes**

Regional Strategy : **subregion**

will benefit the future of the Merrylands City Centre.

The planning proposal is a precinct based rezoning, to reflect the recommendations in the Merrylands Neil Street Precinct Urban Design Review.

DEPARTMENT COMMENT

The identified objectives of the planning proposal are supported subject to a minor amendment to the proposed zoning. The planning proposal identifies that two proposed local roads (new road 1 and new road 2) are to be zoned SP2 Infrastructure (local road). The zoning of proposed local roads as a special uses zone instead of the adjoining zone is not supported, as it is inconsistent with practice note PN10-001 Zoning for infrastructure, and Holroyd Local Environmental Plan 2013 which does not zone local roads with a special uses (SP2) zone, instead utilises the adjoining zone.

It is considered appropriate the land identified for the proposed new local roads within the planning proposal be zoned the adjoining zone (B6 Enterprise Corridor and R4 High Density Residential).

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

Is an explanation of provisions provided? Yes

Comment : It is proposed to the development controls (including land zoning, maximum height of buildings, and floor space ratios) at:
171 Pitt Street (Lot 1 DP 7916 and Lot 2 7916);
173 Pitt Street (Lot 3 DP 7916);
175-181 Pitt Street (Lot 0 SP 86273);
180-182 Pitt Street (Lot 3 DP 712016);
184-186 Pitt Street (Lot 2 DP 712016);
188 Pitt Street (Lot 80 DP 736559);
17 Neil Street (Lot 9 DP 228782);
13-15 Neil Street (Lot 10 DP 228782);
9-11 Neil Street (Lot 1 DP 203553);
1-7 Neil Street (Lot 11 DP 228782);
185 Pitt Street (Lot 1 DP 1172459);
208 Pitt Street (Lot 24 DP 11640 and Lot 23 DP 11640);
212 Pitt Street (Lot 22 DP 11640);
214-220 Pitt Street (Lot 101 DP 712762);
2-6 Neil Street (Lot 0 SP52861);
224-240 Pitt Street (Lot 1 DP 701158);
224-240 Pitt Street (Lot 2 DP 701158); and
4 Terminal Place (Lot 1 DP 229589).

Mapping Changes

It is proposed to amend the zoning on land zoning map sheet LZN_009:
from: B4 Mixed Use and R4 High Density Residential
to: B4 Mixed Use, B6 Enterprise corridor (and include "commercial premises" as an additional permitted use), SP2 Infrastructure (Road), SP2 Infrastructure (Drainage), RE1 Public Recreation, and R4 High Density Residential.

It is proposed to amend the maximum height of buildings on height of buildings map sheet HOB_009:
from: 26m, 29m, 41m, 32m and 53m
to: 27m, 30m, 39m, 42m, 54m and 65m.

It is proposed to amend the maximum Floor Space Ratio (FSR) on Floor Space Ratio Map Sheet FSR_009:
from: 2.8:1, 3.0:1, 3.5:1, 4.5:1, 5.0:1, and 6.5:1
to 3.5:1, 4.5:1, 5.0:1, 6.5:1, 8.5:1.

The proposed zoning, maximum height of buildings and floor space ratios are identified in figures 7-9 in the planning proposal (pages 18-20).

The Structure Plan also identifies the required size and location of the public open space. Council has not identified an acquisition authority for the land proposed to be zoned RE1 Public Recreation and SP2 Drainage, as Council intends to address this matter through local agreements.

It is recommended that the Gateway determination include a condition that the planning proposal be amended to zone the proposed local roads as the adjoining zone, and the proposed local roads be identified on the land reservation acquisition maps, with Council identified as the acquisition authority.

CHANGES TO PLANNING OUTCOMES AS AN OUTCOME OF A CHANGE OF ZONE

As an associated matter, the inclusion of the road area, by its zoning to a residential or business zone, with the floor space ratio calculations, may lead to an increase in the overall gross floor area of the site, inconsistent with the recommendations in Council's urban design study.

The development feasibility study and subsequent urban design review have included recommendations to ensure development feasibility and appropriate design outcomes across all the sites within the Neil Street Precinct.

As the area of the proposed local roads may be included within the adjoining zone, there may be the potential for the proposed maximum height of buildings and maximum floor space ratio controls to no longer be consistent with the recommendations in the study.

It is recommended that the Gateway determination include a condition that Council review the proposed development controls with the inclusion of the land that is to be dedicated to the new roads and confirm that the proposed development controls remain generally consistent with the recommendations in the Neil Street Precinct Urban Design Review.

To achieve the objectives of the Neil Street Precinct Urban Design Review, it is acknowledged that the planning controls in relation to height and FSR may need to be either slightly increased or decreased.

It is recommended that Council provide a copy of the planning proposal to the Sydney Region West office prior to public exhibition, and advise the Director of Sydney Region West if the standards are maintained or if there is a minor variation to the proposed controls in the planning proposal.

If a significant variation to the proposed controls are required as a result of proposed local roads being zoned the adjoining zone, a revised Gateway determination may be required.

DEVELOPMENT CONTROL PLAN AMENDMENTS

The Urban Design Review, informing the planning proposal, also recommends a number of amendments to the Holroyd Development Control Plan 2013 to achieve the intended outcome.

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

2.3 Heritage Conservation

3.1 Residential Zones

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

6.2 Reserving Land for Public Purposes

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

The planning proposal does not include an acquisition authority for the land proposed to be zoned RE1 Public Recreation, SP2 Drainage or SP2 Local Road.

The zoning of local roads has been discussed with Council officers, and have been advised it is the intention to condition a determination so that the local roads are to be zoned as the adjoining zone.

Council officers have agreed that the land proposed for local roads be identified on the land reservation acquisition map with Council as the acquisition authority.

It is recommended that the Gateway determination include a condition that the proposed local roads be identified on the land reservation acquisition map, and that a relevant acquisition authority be identified, consistent with Council officers agreement. It is also recommended that the acquisition maps be updated to include the land proposed to be zoned RE1 Public Recreation and SP2 Drainage, and that an appropriate acquisition authority be identified as well.

It is recommended that the Secretary's agreement to the creation of land for public purposes be further considered following exhibition.

Section 117 Direction 6.3 Site Specific Provisions

This Direction applies as the planning proposal intends to apply an additional permitted use provision over the land proposed to be zoned B6 Enterprise Corridor in the precinct, to also permit commercial premises with development consent.

The inclusion of 'commercial premises' as an additional permitted use within the zone to enable a range of retail as well as office and business activities within the precinct aims to widen the economic activity and employment opportunities.

Note: The precinct currently has an additional permitted use provision applying to the R4 High Density Residential zoned land, enabling development for the purposes of business premises, office premises and retail premises (excluding pubs) to be permitted with development consent.

The inconsistency with this direction is considered to be of minor significance and its implementation would assist in the redevelopment of the precinct, as well as having minimal impact upon the surrounding area. Recommend accordingly.

State Environmental Planning Policies (SEPPs)

SEPP55 - Remediation of land:

Council has considered the planning proposal against SEPP55. The planning proposal identifies that a number of properties are identified as affected by contamination.

As the majority of the planning proposal rezones land from zone R4 High Density Residential to B6 Commercial Core and RE1 Public Recreation, which already permits residential development and recreation areas, Council has advised in the planning proposal that any contamination, and potential remediation can be addressed in any future development application process.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment :

The planning proposal includes maps identifying the current land zoning, maximum height of buildings and maximum floor space ratio and proposed land zoning, maximum height of buildings and maximum floor space ratio.

The planning proposal does not currently include a draft additional permitted use map or a draft land reservation acquisition map.

It is recommendation that the Gateway determination include a condition requesting Council prepare draft maps for public exhibition.

Consistency with strategic planning framework :

STATE STRATEGIC PLANNING FRAMEWORK

The planning proposal is consistent with A Plan for Growing Sydney. In particular, the planning proposal is consistent with Goal 1.11 to Deliver Infrastructure, 2.1 - Accelerate housing supply across Sydney, Direction 2.2 - accelerate urban renewal across Sydney - providing homes closer to jobs and Direction 3.1 - Revitalising existing suburbs.

Specifically, the planning proposal will enable the redevelopment of the Merrylands Precinct which is located near employment opportunities and with access to public transport and services. It is considered that this will accelerate the housing supply in Holroyd and provide jobs closer to home.

LOCAL STRATEGIC PLANNING FRAMEWORK

Holroyd Council's local strategic plan is "Living Holroyd: Community Strategic Plan 2013".

The planning proposal is supported by the Urban Design Review (October 2015) is consistent with the vision with the strategic plan for Holroyd Council, in particular:

- to provide housing as part of an existing urban centre that provides retail and services to meet the needs of the local residents;
- provides employment opportunities located near residents and near public transport nodes;
- provide business /commercial opportunities within the Precinct, to interrelate with the Merrylands City Centre; and
- address flood risk through the provision of overland flow path channel.

The planning proposal is consistent with State and local planning frameworks.

Environmental social economic impacts :

ENVIRONMENTAL

The planning proposal does not affect any critical habitats, populations or ecological communities. A small amount of vegetation is located within an existing drainage corridor, which will be zoned SP2 Drainage.

Flooding

The majority of land included within the planning proposal is affected by overland flooding and low hazard risk from the 1:100 stormwater event. The planning proposal includes a flood assessment that identifies that land for open space, drainage and local roads, which will contain most of the localised flooding and enable overland flow on the site.

The Precinct Flooding Investigation determined that, with the completion of the recommended flood risk management scheme (as part of the wider, overall Merrylands Centre scheme), that the peak flows and depths of inundation along the proposed overland flow path would be significantly reduced.

It is recommended that Office of Environment and Heritage be consulted during the public exhibition period.

Any additional flooding considerations can be addressed through the development application process.

Contamination

The planning proposal identifies that a number of properties within the planning proposal are identified as affected by contamination. Council has advised in the planning proposal that any contamination, and potential remediation can be addressed in any future development application process as the zoning of the land currently permits residential development and recreation areas.

SOCIAL

Any future development applications for the redevelopment of sites will consider specific issues including site parking, access and building design aspects.

Servicing/Infrastructure

Preparation and construction of future infrastructure works, including roads, open space and overflow drainage paths will provide economic benefit.

It is considered that the redevelopment of this precinct would have a positive economic impact on Neil Street Precinct and the greater Merrylands Centre.

Assessment Process

Proposal type : Precinct Community Consultation Period : 28 Days

Timeframe to make LEP : 12 months Delegation : DDG

Public Authority Consultation - 56(2)(d) :
 Family and Community Services - Housing NSW
 Energy Australia
 Transport for NSW
 Transport for NSW - Sydney Trains
 Transport for NSW - Roads and Maritime Services
 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
Cover letter.pdf	Proposal Covering Letter	Yes
Delegation checklist.pdf	Proposal	No
planning proposal.pdf	Proposal	Yes
Appendix B - MerrylandsCBD - Neil Street Precinct -Flood Study.pdf	Study	Yes
Appendix C - Closed Council Report 15July2014.pdf	Proposal	Yes
Appendix D - Closed Council Report 20October2015.pdf	Proposal	Yes
Appendix E - amended FSR.pdf	Map	Yes
Appendix E - amended HOB.pdf	Map	Yes
Appendix E - amended zone map LZN.pdf	Map	Yes
Appendix A - Neil Street Precinct Urban Design Review Report_14-10-2015.pdf	Study	Yes

Neil Street Precinct, Merrylands

- Transport for NSW – Sydney Rail
- Transport for NSW – Roads and Maritime Services
- Sydney Water
- Energy Australia
- Family and Community Services – Housing NSW
- Office of Environment and Heritage

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 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

This planning proposal will enable the redevelopment of the Neil Street Precinct, enabling the revitalisation of this precinct in accordance with Council's vision "to be a vibrant, successful, mixed use community, close to main shopping areas, public transport, the creek and the park"

Signature:



Printed Name:

T. DOKAN

Date:

15/6/16