

- ii. In the event that Gateway Determination is issued by the DPE, that the Planning Agreement is placed on public exhibition concurrently with the Planning Proposal.

- (d) **Further that**, Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the preparation and processing of the Planning Proposal and draft Planning Agreement.

DIVISION - A division was called, the result being:-

AYES: Councillors Bradley, Darley, Davis, Esber, Garrard, Green, Humphries, Maclean, Noack, Pandey, Prociv, Siviero, Valjak, Wang and Wearne

NOES: Nil

13.11 SUBJECT Gateway Request: Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (Melrose Park North Precinct)

REFERENCE F2022/00105 - D08530158

APPLICANT/S M Projects

OWNERS Payce MP DM Pty Ltd

REPORT OF Project Officer Land Use

MOTION (Noack/Prociv)

- (a) **That** Council approve for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at **Attachment 2** for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by:

- i. Rezoning 19 Hope Street from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation.
- ii. Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to B4 Mixed Use.
- iii. Rezoning 77 Hughes Avenue from R2 Low Density Residential to part B4 Mixed Use and part RE1 Public Recreation.
- iv. Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys).
- v. Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 1.85:1.
- vi. Inserting a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 and amending the Additional Local Provisions map to include the land to ensure a minimum of 1,400m² of non-residential floor space is to be

provided within the site to serve the local retail and commercial needs of the incoming population.

vii. Amending the Land Reservation Acquisition map to reflect the areas of open space to be dedicated to Council.

- (b) **That** the draft site-specific Development Control Plan (DCP) for Melrose Park North be amended to include the subject site and any necessary amendments to the DCP provisions relating to this site be reported to Council for consideration for exhibition with the Planning Proposal should Gateway determination be issued.
- (c) **That** Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.
- (d) **That** Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (e) **Further that**, Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

During debate, Councillor Prociv moved a foreshadowed motion and withdrew as seconder to the original motion. Councillor Esber seconded the original motion.

FORESHADOWED MOTION (Prociv/Darley)

That consideration of this matter be deferred for Councillors to receive additional information.

The motion moved by Councillor Noack and seconded by Councillor Esber on being put was declared CARRIED.

3826 RESOLVED (Noack/Esber)

- (a) **That** Council approve for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at **Attachment 2** for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
 - i. Rezoning 19 Hope Street from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation.
 - ii. Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to B4 Mixed Use.
 - iii. Rezoning 77 Hughes Avenue from R2 Low Density Residential to part B4 Mixed Use and part RE1 Public Recreation.
 - iv. Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys).

- v. Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 1.85:1.
 - vi. Inserting a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 and amending the Additional Local Provisions map to include the land to ensure a minimum of 1,400m² of non-residential floor space is to be provided within the site to serve the local retail and commercial needs of the incoming population.
 - vii. Amending the Land Reservation Acquisition map to reflect the areas of open space to be dedicated to Council.
- (b) **That** the draft site-specific Development Control Plan (DCP) for Melrose Park North be amended to include the subject site and any necessary amendments to the DCP provisions relating to this site be reported to Council for consideration for exhibition with the Planning Proposal should Gateway determination be issued.
- (c) **That** Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.
- (d) **That** Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (e) **Further that,** Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

DIVISION -A division was called, the result being:-

AYES: Councillors Esber, Garrard, Green, Humphries, Noack, Pandey, Siviero, Valjak, Wang and Wearne

NOES: Councillors Davis, Bradley, Darley, Maclean and Prociv

Note: Councillor Noack left the Chamber at 8:54pm and returned at 8:55pm during the consideration of Item 13.11

14. NOTICES OF MOTION

14.1 SUBJECT Mosquito Awareness Campaign and Action Plan

REFERENCE F2022/00105 - D08550924

FROM Councillor Kellie Darley

3827 Resolved (Darley/Esber)

That the matter be deferred for a Councillor Workshop, as deemed suitable by staff.

14.2 SUBJECT Lights on for Evening Exercise at Local Parks

FOR COUNCIL DECISION

ITEM NUMBER	13.11
SUBJECT	Gateway Request: Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (Melrose Park North Precinct)
REFERENCE	F2022/00105 - D08530158
APPLICANT/S	M Projects
OWNERS	Payce MP DM Pty Ltd
REPORT OF	Senior Project Officer

CSP THEME: INNOVATIVE**WORKSHOP BRIEFING DATE:** 6 June 2022**DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL** Nil**PURPOSE**

To seek Council's approval to forward the Planning Proposal for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington to the Department of Planning and Environment (DPE) with a request to issue a Gateway determination.

RECOMMENDATION

- (a) **That** Council approve for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal at **Attachment 2** for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
- i. Rezoning 19 Hope Street from IN1 General Industrial to part B4 Mixed Use and part RE1 Public Recreation.
 - ii. Rezoning 69, 71, 73 and 75 Hughes Avenue from R2 Low Density Residential to B4 Mixed Use.
 - iii. Rezoning 77 Hughes Avenue from R2 Low Density Residential to part B4 Mixed Use and part RE1 Public Recreation.
 - iv. Amending the maximum building height across the site from part 9m and part 12m to a range between 13m and 48m (approximately 4 – 14 storeys).
 - v. Amending the Floor Space Ratio (FSR) from part 1:1 and part 0.5:1 to 1.85:1.
 - vi. Inserting a site-specific provision in Part 6 Additional local provisions – generally of PLEP 2011 and amending the Additional Local Provisions map to include the land to ensure a minimum of 1,400m² of non-residential floor space is to be provided within the site to serve the local retail and commercial needs of the incoming population.
 - vii. Amending the Land Reservation Acquisition map to reflect the areas of open space to be dedicated to Council.
- (b) **That** the draft site-specific Development Control Plan (DCP) for Melrose Park North be amended to include the subject site and any necessary amendments to

the DCP provisions relating to this site be reported to Council for consideration for exhibition with the Planning Proposal should Gateway determination be issued.

- (c) **That** Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.
- (d) **That** Council advise the DPE that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (e) **Further that**, Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

PLANNING PROPOSAL TIMELINE



SUMMARY

1. This report seeks Council's approval to forward a Planning Proposal (**Attachment 2**) for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington in accordance with the recommendations outlined in this report to DPE seeking a Gateway determination.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan (PLEP 2011) to enable a combination of high-density residential development, public open space and retail/commercial uses on 19 Hope Street and 69-77 Hughes Avenue, in accordance with the Melrose Park Northern Structure Plan (Northern Structure Plan) adopted by Council in December 2016. Should the Planning Proposal proceed then approximately 161 additional dwellings could potentially be delivered on the site with building heights ranging from 4 to 14 storeys. The Planning Proposal relates to properties currently zoned IN1 General Industrial and R2 Low Density Residential under PLEP 2011.
3. The Planning Proposal also seeks to amend Part 6 *Additional local provisions – generally* within PLEP 2011 to require a minimum of 1,400m² of non-residential

floor space to be provided within the development to help meet the retail/commercial needs of the precinct.

4. The Planning Proposal has been assessed against the adopted Northern Structure Plan and Council-envisaged direction for this precinct under the Employment Lands Strategy (ELS) (2016), Local Housing Strategy (LHS) (2020) and Local Strategic Planning Statement (LSPS) (2020) and is considered acceptable by Council officers to proceed to Gateway determination.
5. It is proposed that the site-specific Melrose Park North DCP be amended to incorporate this site and include any necessary provisions specific to this site. Necessary changes proposed to the DCP will be reported to Council for consideration for approval prior to exhibition.
6. Should Council resolve for this matter to proceed, Council officers will commence negotiations with the proponent for a planning agreement to be provided to deliver key infrastructure to support the proposal. This will be reported to Council separately and will be exhibited in conjunction with the Planning Proposal and draft DCP should it progress.

SITE DESCRIPTION

7. The sites subject to this Planning Proposal (refer **Attachment 2**) are located in the south-western corner of the northern precinct of Melrose Park on the corner of Hope Street and Hughes Avenue. Refer to **Figure 1** for the location of the subject site and **Figure 2** showing the site the broader context. The total site area is approximately 8,485m² and comprises six (6) lots. The property at 19 Hope Street is currently zoned IN1 General Industrial and the properties at 69-77 Hughes Avenue are zoned R2 Low Density Residential under PLEP 2011. The site is occupied by a former industrial premises at 19 Hope Street which is now vacant. The properties at 71-77 Hughes Avenue are occupied by detached dwellings while the site at 69 Hughes Avenue is currently vacant.
8. Surrounding land uses include low density residential on the western side of Hughes Avenue and to part of the northern boundary, and industrial land to the remaining portion of the northern boundary, east and south of the site. This site is within close proximity to the recently adopted Melrose Park North Planning Proposal area which will be redeveloped for high density residential, open space, retail/commercial uses and a new school.
9. High voltage overhead power lines traverse the Planning Proposal site in a north-east direction along the eastern boundary of 19 Hope Street. Land within this corridor is proposed to be used as open space and embellished in accordance with the requirements of Ausgrid and Council. Refer to the Local Planning (LPP) report at **Attachment 1** for further detail on the site description and additional image showing the site in the broader context.

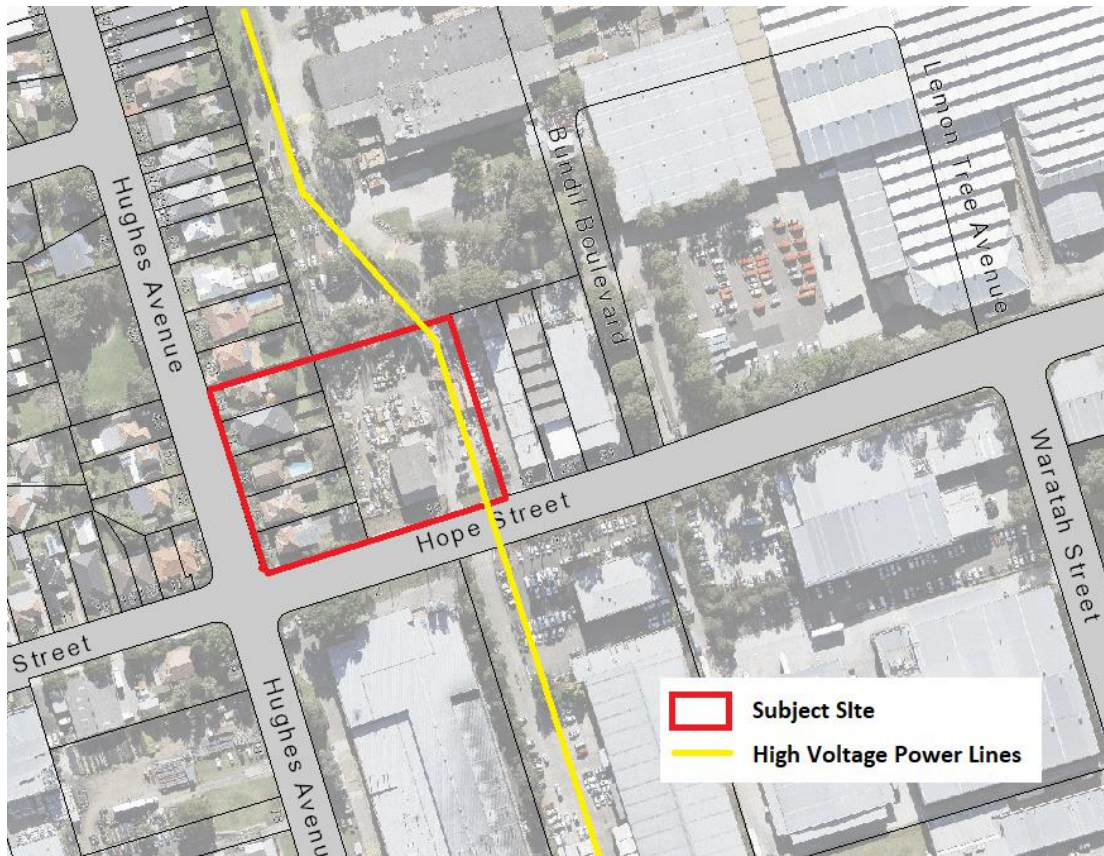


Figure 1. Planning Proposal site

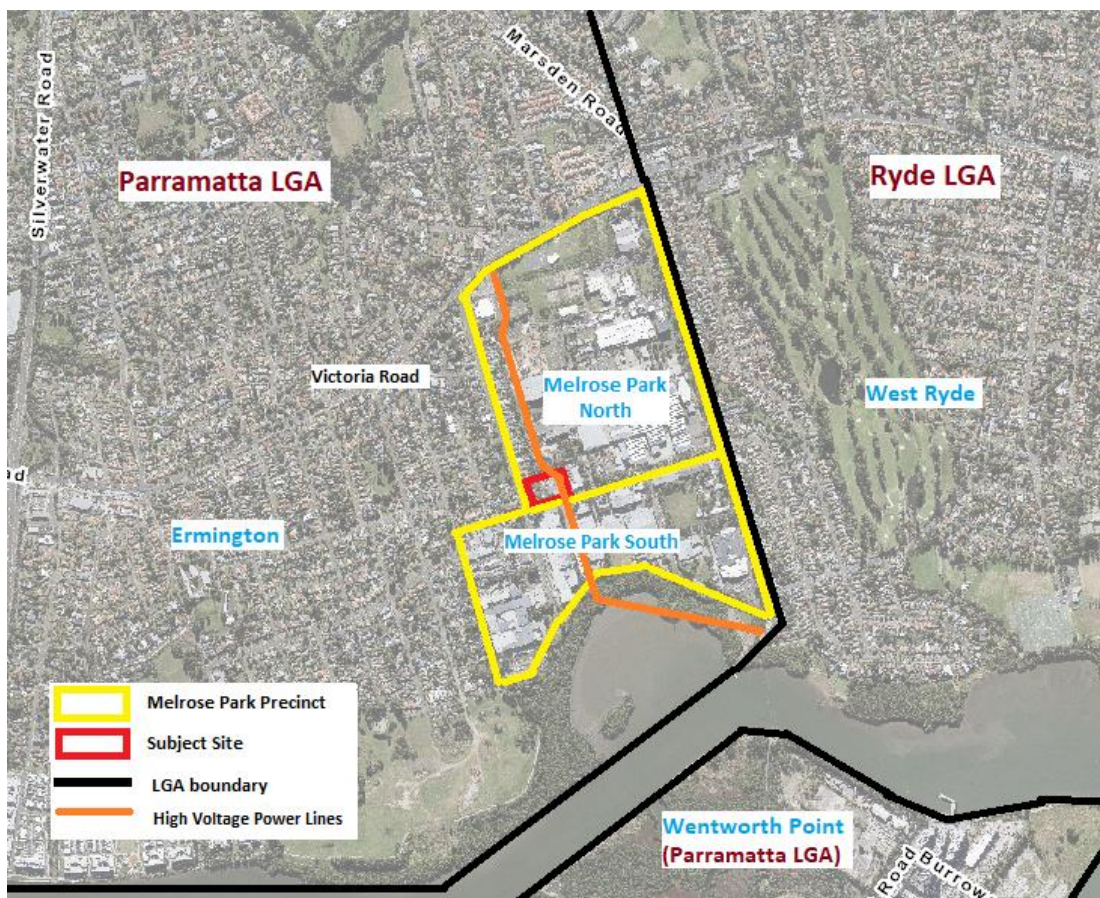


Figure 2. Site and Broader Context

BACKGROUND

10. Council adopted the Parramatta Employment Lands Strategy (ELS) at its meeting of 11 July 2016, which identified the Melrose Park industrial area precinct as being a Structure Plan precinct suitable for redevelopment for non-industrial uses. This was primarily due to the decline in the pharmaceutical manufacturing industry, which has had a significant presence within the precinct. Refer to the LPP report at **Attachment 1** for further detail on the Northern Structure Plan.
11. In August 2016, Council resolved to exhibit the draft Northern Structure Plan and supporting documents, and it was adopted by Council on 12 December 2016 (refer to **Figure 2** within **Attachment 1**).
12. In February 2021, a Planning Proposal was lodged with Council relating to 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington. The Planning Proposal was lodged by Payce, the owner of the majority of the land in the Northern Precinct, and has been assessed by Council officers, including those within urban design, traffic and transport, open space and natural resources and development services, who raise no objection to the Planning Proposal proceeding for consideration by Council. The Planning Proposal was considered by the LPP on 17 May 2022, where the Council officer recommendations were supported unanimously. Refer to **Attachment 1** for the Minutes of this meeting.
13. A site-specific Development Control Plan (DCP) for Melrose Park North has been prepared and was adopted by Council on 11 October 2021. Some refinements are required to this DCP to include controls specific to this site which Council officers are in the process of drafting. When complete, an amended version of the draft DCP and the proposed changes will be reported to Council for endorsement to place on exhibition with the Planning Proposal and draft Planning Agreement.

DESCRIPTION OF PLANNING PROPOSAL

14. The Planning Proposal (**Attachment 2**) seeks to amend PLEP 2011 to enable redevelopment of the site for high density residential development, public open space, and a non-residential component of 1,400m². A summary of the current and proposed planning controls and other development detail on the site is provided in **Table 1** below. Refer to **Figures 4 to 9** within **Attachment 1** showing the current and proposed mapped controls. Refer to **Attachment 1** for further detail on the description of the Planning Proposal.

Table 1. Current and proposed planning controls and proposal detail

	19 Hope Street	69-77 Hughes Avenue
Site Area	8,486m ²	
Current Zone	IN1 General Industrial	R2 Low Density Residential
Proposed Zone	Part B4 Mixed Use and part RE1 Public Recreation	
Current Height Limit	12m*	9m (approx. 2 storeys)

Proposed Height Limit	13m – 48m (approx. 4-14 storeys) Note that the LEP Height map (See Figure 7 at Attachment 1) only shows the maximum building height proposed to be permissible on the site	
Current FSR	1:1	0.5:1
Proposed FSR (gross)	1.85:1	
Potential Dwelling Yield (approx.)	161 units	
Proposed Residential GFA	14,066.5m ²	
Non-Residential GFA	1,400m ²	
New Public Open Space (to be dedicated to Council)	2,600m ²	
Potential New Jobs	76	

*Height limits in storeys are not applied to industrial zoned land

PLANNING PROPOSAL ASSESSMENT

15. The Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the DPE's *A Guide to Preparing Planning Proposals* and considers the State and local planning strategies. It is consistent with Council's adopted Local Strategic Planning Statement (LSPS), Employment Lands Strategy (ELS) and Local Housing Strategy (LHS). The Planning Proposal has been informed by the Northern Structure Plan and is consistent with its objectives.
16. The Planning Proposal was subject to internal feedback from a number of sections within Council as part of the assessment process. Refer to the LPP report at **Attachment 1** and the Planning Proposal at **Attachment 2** for comprehensive details of the planning assessment undertaken by Council officers.
17. The concept design for the site is provided in **Figure 3** below. Refer to the LPP report at **Attachment 1** for further images and description of the proposed design.

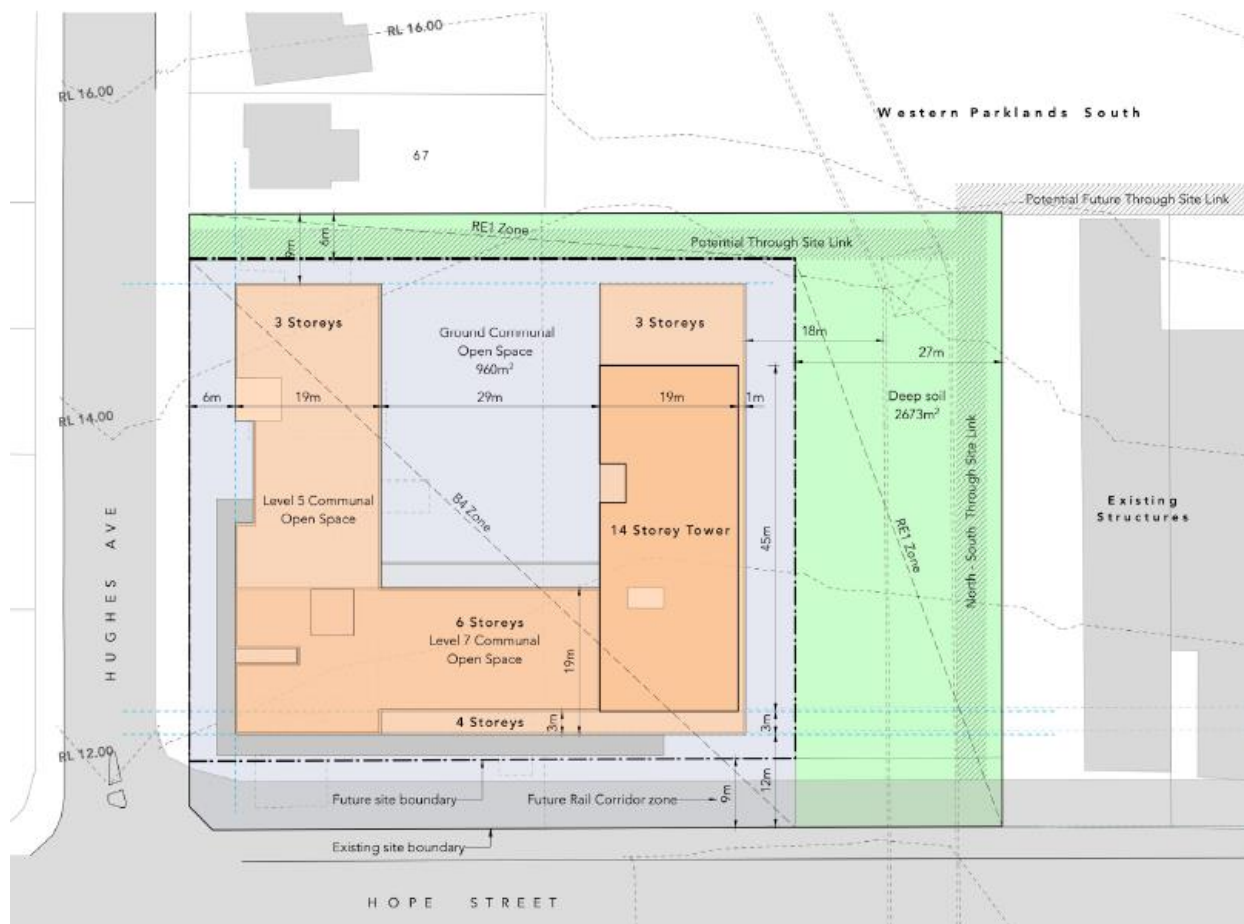


Figure 3. Tomola site concept design. The green areas are proposed new public open space.

DEVELOPMENT CONTROL PLAN

18. The Site-Specific DCP for Melrose Park North was adopted by Council on 11 October 2021. It currently only applies to sites that are within the Melrose Park North Planning Proposal area, however, it was always intended to be updated as Planning Proposals were lodged for the remaining sites in the northern precinct. As such, the DCP will be updated to include the subject site and any controls added as deemed necessary by Council officers. The amended DCP will be reported to Council separately and if endorsed, will be placed on exhibition with the Planning Proposal. The proposed amendments to the DCP will be generally reflective of the concept design submitted with the Planning Proposal and will ensure that appropriate controls are included that reflect the intended outcome of the precinct.

PLANNING AGREEMENT

19. The applicant has indicated a willingness to contribute towards infrastructure provision within the precinct, including the dedication of land at no cost to Council for the purposes of public open space. However, a Letter of Offer had not been submitted by the applicant at the time of writing this report.
20. It is essential that all developers make a fair and equitable contribution to the infrastructure needs associated with the future growth in Melrose Park. As such, it is considered necessary that a Planning Agreement be negotiated with the developer to ensure a reasonable contribution is made to support the development needs. Council officers will continue to work with the applicant

regarding this matter, and the Planning Agreement required will be subject to detailed analysis in keeping with Council's Planning Agreements Policy and be reported to Council for endorsement for concurrent public exhibition with the Planning Proposal and a site specific DCP if a Gateway determination is received. It is intended that an identical approach to that taken with the Planning Agreements relating to the Melrose Park North Precinct and Holdmark sites in the south of Melrose Park regarding the per dwelling contribution amount will be taken for the Planning Agreement relating to this Planning Proposal. Payce have already agreed to the approach taken for the Melrose Park North Precinct as the major landowner and are therefore aware of what will be required to ensure an equitable contribution to the provision of infrastructure in relation to this Planning Proposal. Further detail is provided within the LPP report at **Attachment 1**.

PARRAMATTA LOCAL PLANNING PANEL

21. The Planning Proposal (**Attachment 2**) was considered by the LPP at the meeting of 17 May 2022. No concerns were raised by the Panel and no questions were asked of the proponent, who was available to respond if required. The LPP unanimously supported the Council officer recommendations contained within the LPP report at **Attachment 1** and recommends to Council that the Planning Proposal proceed to Gateway determination.

PLAN MAKING DELEGATIONS

22. New delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO. It is noted that delegations were not granted to the CEO for the Melrose Park North Planning Proposal due to the size and complexity of the redevelopment. However, as the scale of this Planning Proposal is significantly smaller it is considered appropriate to seek delegation.
23. It is recommended that Council request that delegation be granted to the CEO by DPE on this occasion. When a council is not granted plan-making delegations then DPE is responsible for liaising with Parliamentary Counsel to finalise the LEP amendment should it be adopted by Council for completion post-exhibition.

FINANCIAL IMPLICATIONS FOR COUNCIL

24. Should Council resolve to proceed with the Planning Proposal, the financial implications for Council include costs associated with the exhibition process, which include advertising and landowner notification by mail out. These costs will be funded from the City Planning and Design budget.
25. As recommended, a Planning Agreement to support the Planning Proposal to facilitate infrastructure provision and delivery will be the subject of a separate Council report which will outline all financial implications associated with that agreement.
26. If Council resolves to endorse the recommendations of this report, the financial impacts on the budget are set out in the table below.

	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	N/A	N/A	N/A	N/A
Funding Source	N/A	N/A	N/A	N/A
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	N/A	N/A	N/A	N/A
Funding Source	N/A	N/A	N/A	N/A
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	N/A	N/A	N/A	N/A

27. The costs associated with the preparation, exhibition and finalisation of the draft Planning Agreement involve internal resources and legal costs. The developer will reimburse any legal costs relating to the Planning Agreement, which will then result in nil cost to Council for this item.

CONCLUSION AND NEXT STEPS

28. The Planning Proposal seeks to rezone 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington and increase the maximum building height and FSR in a manner considered acceptable by Council officers. It is recommended that Council endorse the Planning Proposal provided at **Attachment 2** and it be forwarded to the Department of Planning and Environment seeking a Gateway determination.

Amberley Moore
Senior Project Officer





Michael Rogers
Land Use Planning Manager

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Chief Financial and Information Officer

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | | | |
|---|---|---|---|-----------|
| 1 |  |  | Local Planning Panel Report and Minutes - 17 May 2022 | 575 Pages |
| 2 |  |  | Planning Proposal | 76 Pages |

REFERENCE MATERIAL