

- iii. To correct any minor anomalies of a non-policy and administrative nature.
- (e) **That** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.
- (f) **Further that**, the Panel advises:
 - 1. The Panel notes the Council Officer's recommendations (a) through to (e);
 - 2. The Panel considers on balance the Planning Proposal has sufficient site specific and strategic merit to process to Gateway.

The Panel decision was unanimous.

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

REFERENCE RZ/1/2021 – D08503003

APPLICANT/S M Projects

OWNERS Payce MP DM Pty Ltd

REPORT OF Senior Project Officer

The Panel considered the matter listed at Item 6.2 and attachments to Item 6.2.

PUBLIC FORUM

- 1. Mr Miled Akle on behalf of M Projects and representing Payce MP DM Pty Ltd was available to answer questions raised by the Panel.

RECOMMENDATION TO COUNCIL

The Local Planning Panel recommends to Council:

- (a) **That** Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal 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 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 Planning Proposal be forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.
- (c) **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.
- (d) **That** Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.
- (e) **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.
- (f) **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.
- (g) **Further that**, the Panel advises:
- 1. The Panel notes the Council Officer's recommendations (a) through to (f);
 - 2. The Panel considers on balance the Planning Proposal has sufficient site specific and strategic merit to process to Gateway.

The Panel decision was unanimous.

The meeting terminated at 4:22 pm.



Chairperson

INNOVATIVE

| | |
|--------------------|--|
| ITEM NUMBER | 6.2 |
| SUBJECT | Pre-Gateway: Planning Proposal for 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington (Melrose Park North Precinct) |
| REFERENCE | RZ/1/2021 - |
| APPLICANT/S | M Projects |
| OWNERS | Payce MP DM Pty Ltd |
| REPORT OF | Senior Project Officer |

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL Nil

PURPOSE

The purpose of the report is to seek the Local Planning Panel's advice to Council on a request to the Department of Planning and Environment (DPE) for a Gateway Determination for a Planning Proposal for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington.

RECOMMENDATION

The Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

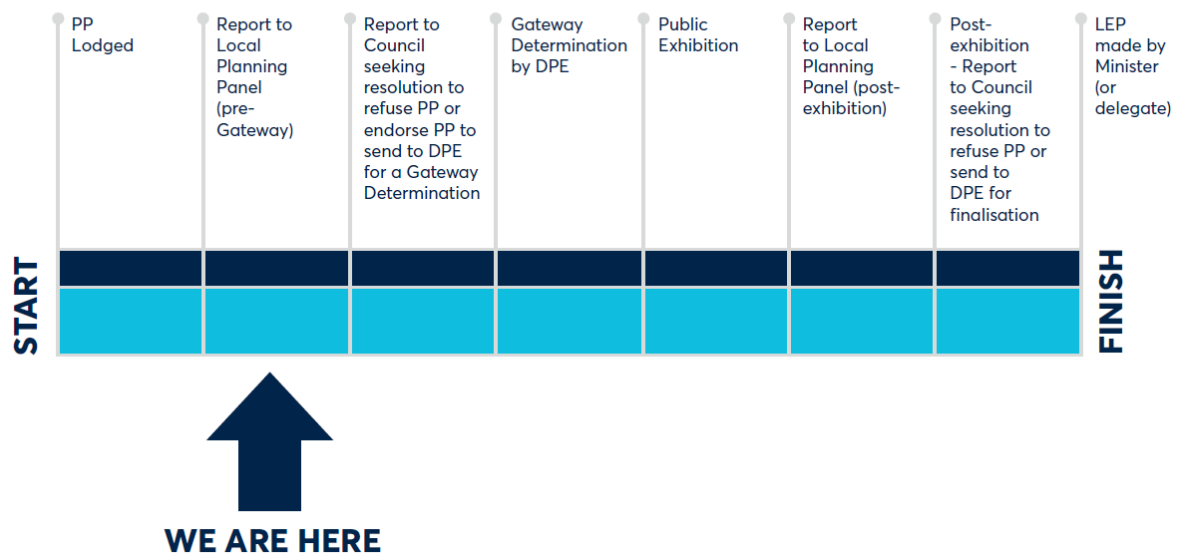
- (a) **That** Council endorse for the purposes of seeking a Gateway Determination from the Department of Planning and Environment (DPE), the Planning Proposal for land at 19 Hope Street, Melrose Park and 69-77 Hughes Avenue, Ermington, which seeks to amend Parramatta Local Environmental Plan 2011 (PLEP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

- (d) **That** Council delegate authority to the CEO to commence negotiations to enter into a Planning Agreement with the proponent.
- (e) **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.
- (f) **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

Planning Proposal Timeline



SUMMARY

1. This report seeks the Local Planning Panel's (LPP) endorsement to forward a Planning Proposal 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 for 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. Although the residential zoned properties at 69-77 Hughes Avenue were not included in the original structure planning work undertaken for the precinct, these sites have since been included with the industrial property at 19 Hope Street in the Northern Structure Plan. These residential properties are considered suitable for redevelopment as it will enable a better built form outcome to be achieved than if 19 Hope Street were to be redeveloped on its own. **Figure 2** shows the location of the Planning Proposal site within the Northern Structure Plan.
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 1**) 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.
8. The sites are currently developed and occupied by a former industrial premises at 19 Hope Street which is disused. The properties at 71-77 Hughes Avenue are occupied by detached dwellings. The site at 69 Hughes Avenue is currently vacant.
9. 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.
10. The sites have existing water, sewer, telecommunications and gas trunk services. These services will need to be augmented to service the proposed higher intensity development. An underground high-pressure oil pipeline is also located near the southern boundary of the sites along Hope Street.
11. 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.

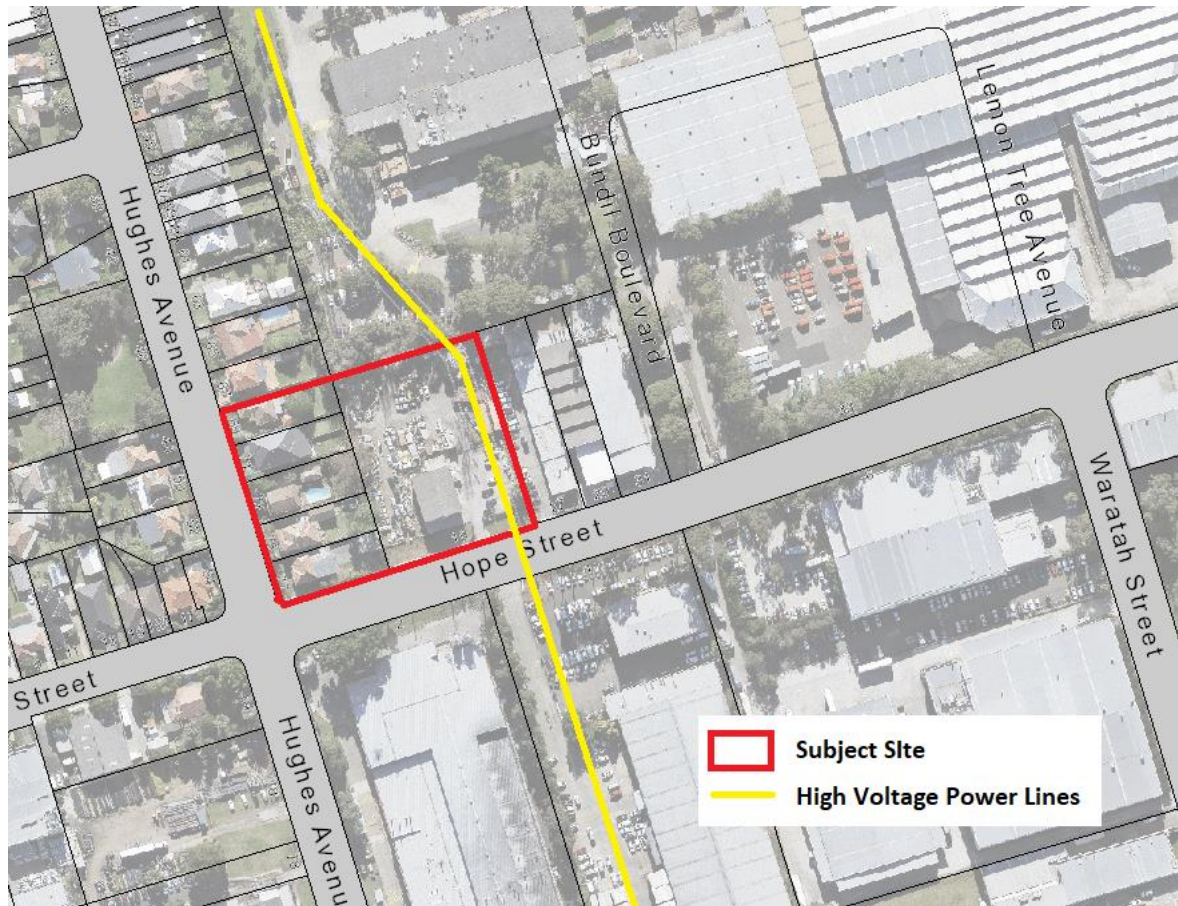


Figure 1. Planning Proposal site

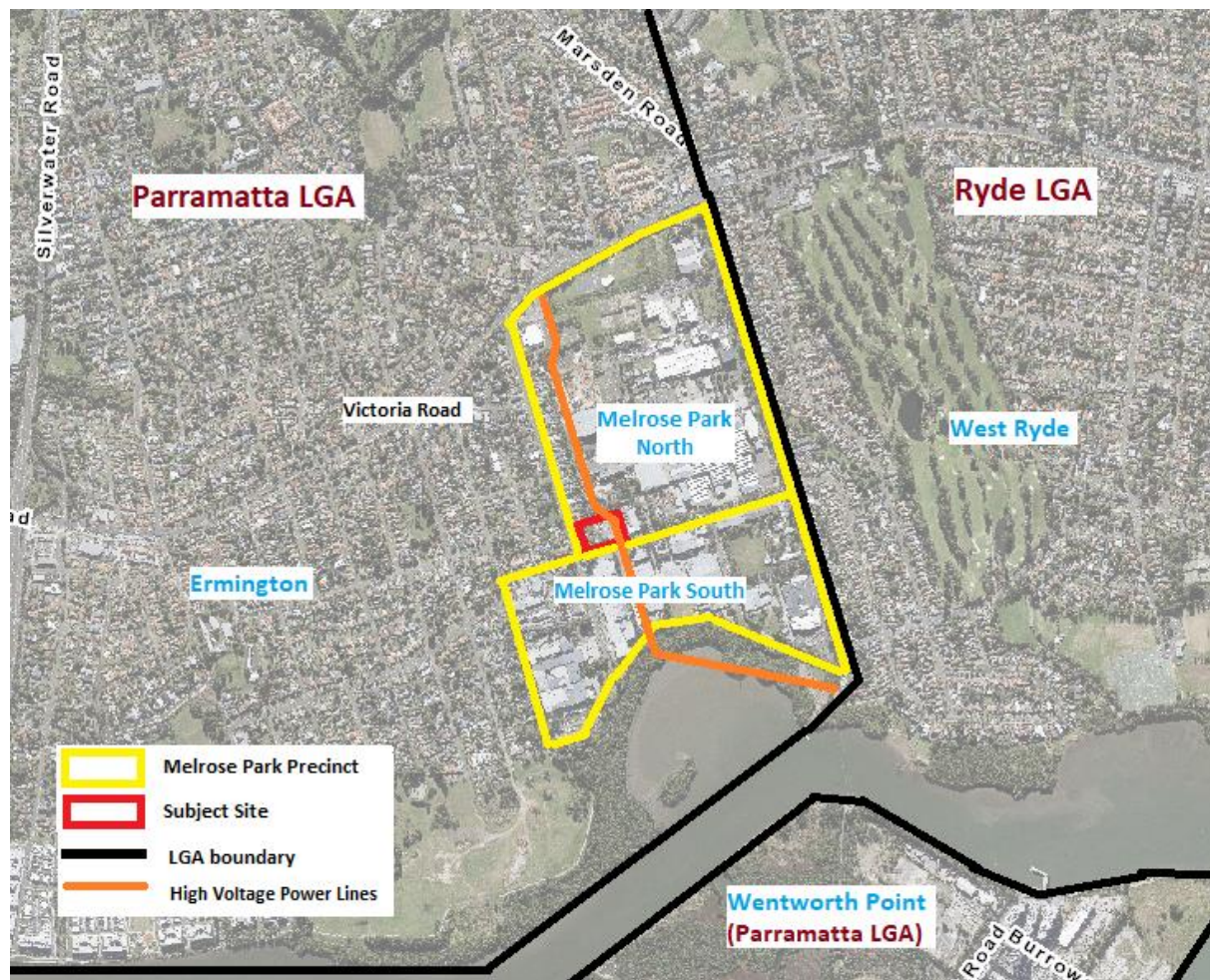


Figure 2. Subject site in the broader context

BACKGROUND

12. 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.
13. It was initially intended that one structure plan would be prepared for the whole Melrose Park precinct. However, in July 2016, Council resolved to consider the structure planning of Melrose Park precinct in two parts (a Northern Structure Plan and Southern Structure Plan) to enable redevelopment of the precinct to be progressed in a timeframe that suited the landowners in both the northern and southern precincts.
14. 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**).
15. The Melrose Park North Planning Proposal, which applies to 25ha of land to the north and east of this site and proposes to deliver approximately 5,500 dwellings is currently with the DPE for finalisation.

16. 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 the LPP or Council.
17. 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.

NORTHERN STRUCTURE PLAN

18. The Northern Structure Plan (NSP) (**Figure 3**) is a high-level planning document that was endorsed by Council, as part of the planning process that was undertaken in association with the Melrose Park North Planning Proposal. The NSP provides a framework for redevelopment within the precinct and an overview of the intended redevelopment plan showing indicative locations for density, proposed new roads and new public open space and retail/commercial areas.
19. The NSP was adopted by Council in December 2016 and formed the basis of the Melrose Park North Planning Proposal. Due to further urban design modelling, traffic investigations and subsequent consultation with State Agencies, the Melrose Park North Planning Proposal is inconsistent with the NSP to accommodate the provision of a school site and relocation of the town centre; however, the overarching principles were maintained.
20. This Planning Proposal is largely consistent with the intent of the Northern Structure Plan. The NSP indicates medium to low density development on the subject sites by locating the tallest part of the development in the core of the site away from the adjacent low-density development and providing a height transition to the street.



Figure 3. Northern Structure Plan showing the Tomola site outline yellow

TRANSPORT MANAGEMENT AND ACCESSIBILITY PLAN

21. Traffic and transport issues were identified as a key consideration early in the planning process for the entire precinct (both north and south) and as a result, a Transport Management and Accessibility Plan (TMAP) was commissioned by key northern precinct landowners, Payce, and a reference group including stakeholders from Council State agencies (TfNSW and DPE) and applicants from the northern (Payce) and southern (Holdmark and Goodman) precincts to monitor and provide input into the TMAP process. The preparation of the TMAP was also a condition of the Gateway determination associated with the Melrose Park North Planning

Proposal and will be used as a supporting technical document for all future Planning Proposals within the precinct. The TMAP is included at **Attachment 2**.

22. The TMAP tested an agreed FSR range from 1.6:1 to 1.85:1 across the whole Melrose Park precinct to help determine the capacity of the precinct from a traffic and transport perspective. This together with urban design testing informed the appropriate density within the Melrose Park.
23. The TMAP was completed in late 2018 and concluded that the precinct has the capacity to accommodate up to 11,000 dwellings from a traffic and transport perspective subject to the identified road and public transport improvements and new infrastructure being delivered at the appropriate stages. The TMAP has been endorsed by TfNSW, DPE and Council for exhibition purposes and was publicly exhibited in conjunction with the Melrose Park North Planning Proposal.
24. An Implementation Plan has been developed and included in the TMAP (refer to Section 7 within the attached TMAP) to ensure required infrastructure is delivered within and outside the precinct at the appropriate stages of development to cater for the increase in demand. The Implementation Plan included in the TMAP provides a framework to ensure an integrated and coordinated approach in the delivery of this infrastructure, and implementation of the measures identified in the TMAP will be undertaken by Council, State agencies and developers within the precinct at the appropriate stages via Local and State Planning Agreements.
25. The TMAP's Implementation Plan addresses the delivery of infrastructure to support up to 11,000 dwellings across the precinct and notes the required transport infrastructure referred to above. It will facilitate a maximum overall FSR of 1.85:1 for the northern part of the precinct and similarly appropriate development potential in the southern precinct at a maximum overall FSR of 1.7:1. Appropriate provisions will be inserted into the PLEP 2011 to ensure that the delivery of infrastructure is undertaken in accordance with the rate of redevelopment. Provisions addressing the coordination of redevelopment and infrastructure provision in accordance with the thresholds in the TMAP are intended to be inserted into PLEP 2011. This approach is intended for the northern precinct through Amendment No 59 to PLEP 2011 which relates to all sites subject to the Melrose Park North Planning Proposal which is currently with DPE for finalisation.

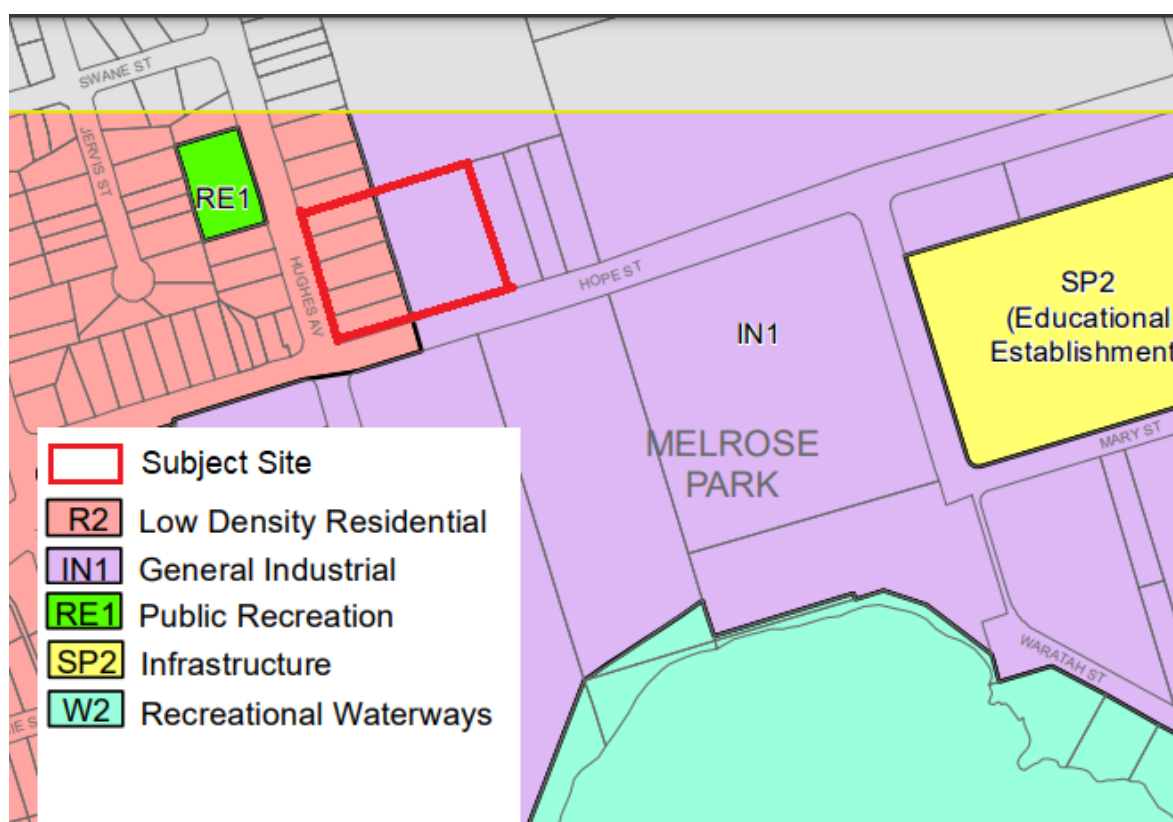
PLANNING PROPOSAL ASSESSMENT

26. The Planning Proposal (**Attachment 1**) seeks to amend PLEP 2011 to enable redevelopment of the site for high density residential development, public open space, and a small non-residential component. 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** showing the current and proposed mapped controls.

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 in Figure 7 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 | 2,600m ² | |
| Potential New Jobs | 76 | |

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

**Figure 4. Currently applicable land use zones**

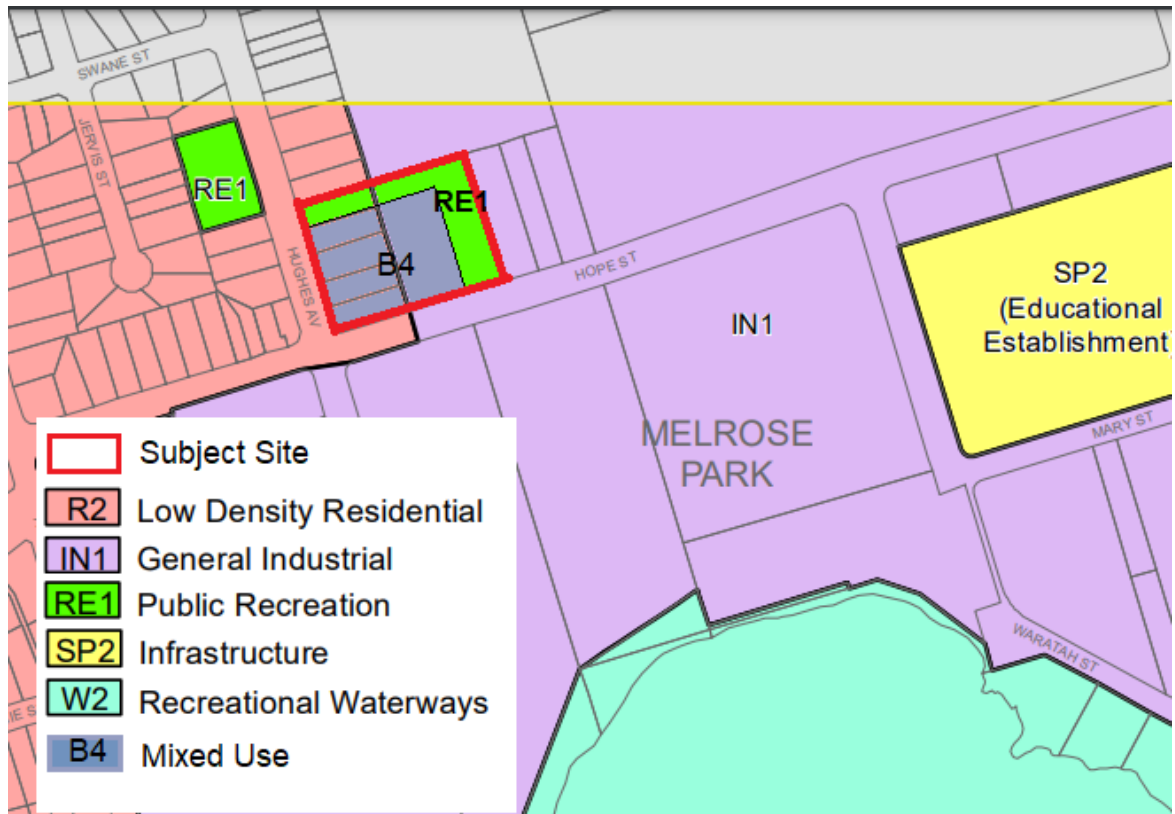


Figure 5. Proposed land use zones on the site



Figure 6. Currently applicable maximum building heights in metres

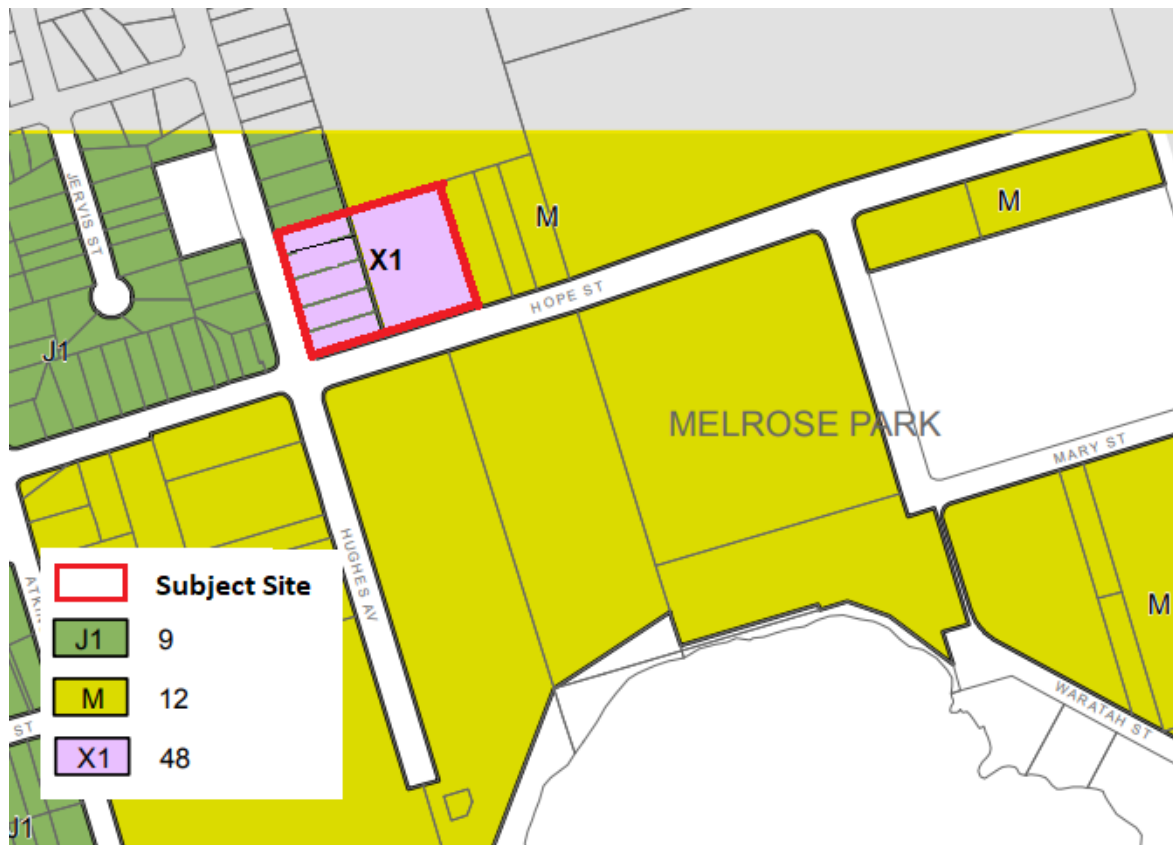


Figure 7. Proposed maximum building height on the site in metres

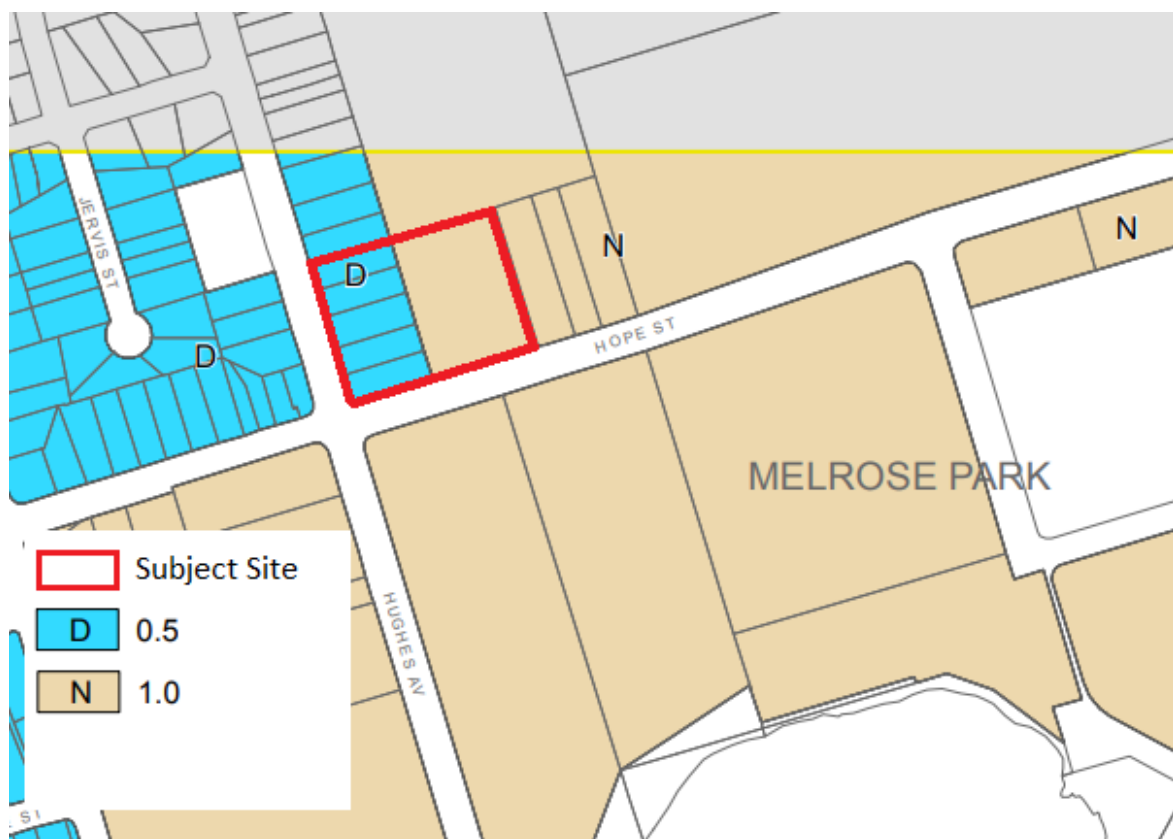


Figure 8. Currently applicable FSRs



Figure 9. Proposed FSR on the site

27. The land proposed to be rezoned RE1 Public Recreation will be dedicated to Council at no cost. The management of the dedication will be undertaken via a Planning Agreement between Council and the proponent.
28. As this site has a frontage to Hope Street, it will be subject to the requirements of Parramatta Light Rail (PLR) Stage 2 to facilitate the identified light rail corridor along Hope Street. These requirements will be determined by Transport for New South Wales (TfNSW) and any required adjustment to the site design will be undertaken in consultation with TfNSW, Council and the proponent at the relevant stage. The reference design submitted with the Planning Proposal provides a 12m setback along Hope Street in accordance with the current Parramatta Light Rail (PLR) Stage 2 requirements and is consistent with the adopted provisions for the remainder of the northern precinct.
29. High voltage power lines traverse the Planning Proposal site along the eastern boundary of 19 Hope Street, and the development will need to comply with the requirements of Ausgrid with regard to locating residential development within proximity to these power lines. This includes the landscaping of the open space.
30. The site is also within proximity to the high-pressure oil pipeline located along Hope Street. A *Hazard Analysis Report* (**Attachment 16**) has been prepared for the precinct and identifies that no immediate action is required at the Planning Proposal stage; however, further investigations will be required as part of the development application stage. This is consistent with the approach applied to the Melrose Park North Planning Proposal.

Strategic Planning Context

31. The Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1997* (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).

Local Strategic Planning Statement

32. Council's adopted Local Strategic Planning Statement (LSPS) provides strategic direction on how the City of Parramatta is planning for the next 20 years and draws together the needs and aspirations of the community. It identifies priorities for jobs, home and infrastructure. The LSPS contains actions and priorities to help Parramatta achieve the vision of the State Government's Greater Sydney Region Plan and Central City District Plan and highlights its important role as the Central River City. The LSPS also identifies the need for improved public transport through 'Planning Priority 3' which relates to Council's policy directions on improving connectivity to the Parramatta CBD and surrounding district through staging of development in alignment with delivery of PLR Stage 2 (or equivalent) and Sydney Metro West. As Melrose Park is identified as a Growth Precinct and the Proposal will help delivery the housing and infrastructure needed, it aligns with the vision of the LSPS.

Employment Lands Strategy

33. The Planning Proposal is consistent with both the adopted Employment Lands Strategy (2016) and Employment Lands Strategy – Review and Update (2020) which identifies the industrial lands within Melrose Park as a Structure Plan area and being suitable for redevelopment for non-industrial uses. Previous uses had begun to vacate the precinct and it is no longer considered suitable as an industrial precinct as it is not located close to any major freight transport corridors and is surrounded by residential development. Although only 19 Hope Street is subject to the ELS, the inclusion of 69-77 Hughes Avenue in the redevelopment proposal is considered appropriate as it will result in a better development outcome than if 19 Hope Street was redeveloped in isolation.

Local Housing Strategy

34. The Planning Proposal is consistent with the City of Parramatta Local Housing Strategy (LHS), which provides direction at the local level regarding when and where future housing growth will occur and how it aligns with the broader NSW-government strategic planning framework. The LHS identifies Melrose Park as a Growth Precinct and forecasts that approximately 6,330 new dwellings will occupy the precinct by 2036 with a dwelling capacity of 10,680 beyond 2036. The LHS also highlights the importance of ensuring that infrastructure delivery is aligned with housing growth and that growth precincts are effectively sequenced with the delivery of relevant infrastructure. The Proposal is consistent with this approach in that it is located within the announced Parramatta Light Rail (PLR) Stage 2 corridor and the TMAP for the precinct includes a staging plan for the delivery of the necessary road upgrades and public transport to support the future population of the precinct.
35. Full details of this strategic planning assessment are contained within Part 3 of the Planning Proposal at **Attachment 1**.

Land Use Planning Assessment

36. The Planning Proposal is largely consistent with the adopted NSP. The NSP has informed the proposed density on the site being multi-dwelling housing and with lower scale development located on the perimeter of the precinct. However, some inconsistencies between the Planning Proposal and NSP are present. These include:

Density on Hughes Avenue

37. The NSP identifies the existing low-density residential properties along Hughes Avenue as being retained as low-density multi-dwelling housing. However, the Planning Proposal intends to rezone the part of this site fronting Hughes Ave (ie 69-77 Hughes Avenue) to B4 Mixed Use and proposed building heights ranging from 3 storeys to 5 and 6 storeys (refer to **Figure 11**) along the Hughes Street frontage.
38. To ameliorate any potential impacts on the adjacent low-density development to the north, the following measures are proposed:
- New public open space incorporating a pedestrian/cycle link and large canopy tree planting is proposed along the northern boundary of the site.
 - The pedestrian/cycle link to the north will be 6m wide.
 - A further 3m setback from the pedestrian cycle link to the building line is proposed, providing a 9m separation from the boundary of 81 Hughes Avenue to the north to the 3-storey building façade of the proposed development.
39. This inconsistency is considered acceptable given the intended development and design outcome of the precinct has evolved since the NSP was adopted, the site is under single ownership and the inclusion of these properties with 19 Hope Street will produce a better design outcome than if either site were redeveloped individually. In addition, the proposed separation, tree planting and 3 storey height is deemed to provide an appropriate transition between the existing low-density development and proposed development. This height transition is similar to the approach taken in other parts of the precinct, including on the Holdmark-owned site in the southern precinct.

Density on 19 Hope Street

40. As with the Hughes Avenue properties above, the density proposed on this site differs to that identified in the NSP that shows medium density multi-dwelling housing on this site. The Planning Proposal intends to locate a range of heights on this site ranging from 3, 4 6 storeys and a 14 storey component (refer to **Figure 10**).
41. Similar to Hughes Avenue, the proposed design and location of the taller heights are located away from the adjoining low-density residential development to the north.
- This site does not share a common boundary with existing residential development, but rather public open space that will be used as on-site stormwater detention and for recreation purposes as part of the broader Melrose Park North Precinct.
 - The portion of 19 Hope Street closest to the existing low density residential development is proposed to contain the 3 storey part of the development.
 - The 14 storey component is also located on this site and will be visible from the existing Hughes Avenue properties, however given the proposed separation of at least 18m and 3 storey component separating the tower from the boundary it is not anticipated that it will result in negative amenity impacts on these properties.

- The bulk of the 14-storey component is located along the eastern edge of the site which is also adjacent to proposed public open space.
42. Despite this inconsistency in density with the NSP, given the density of the broader Melrose Park North Precinct, the proposed density on this site is not considered to be inappropriate or out of context. The design of the apartments facing the high voltage power lines will be subject to refinement at the development application stage to create an improved visual outlook for residents of these apartments.
43. It is considered that any potential impacts on the adjacent low density residential development can be ameliorated through careful design, appropriate setbacks, landscaping and the location of public open space. This will be established as part of the associated DCP controls and further refined at the development assessment stage.

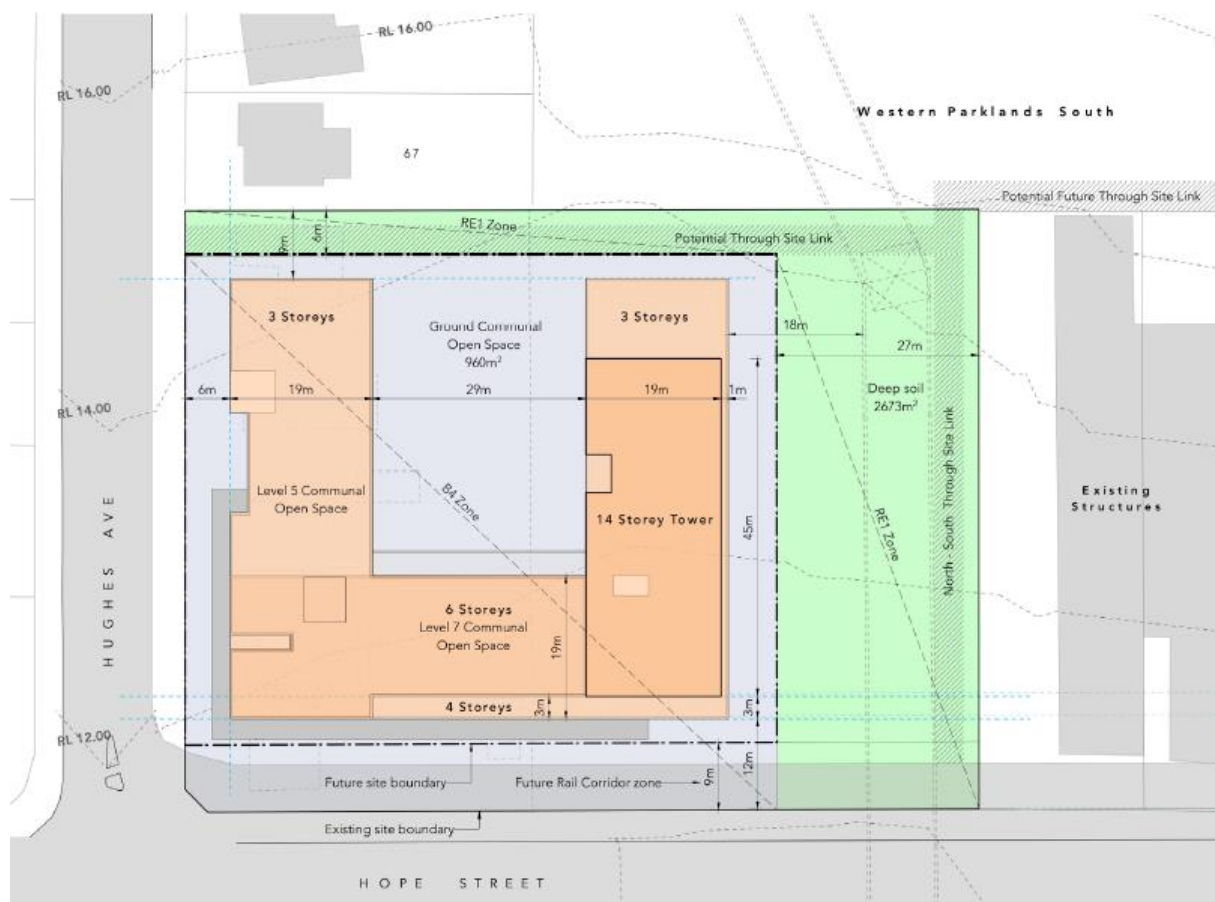


Figure 10. Tomola site concept design. The green areas are proposed new public open space.

44. The Planning Proposal was subject to internal feedback from a number of sections within Council as part of the assessment process. Each section's key comments are detailed below.

Density Control

45. As with other sites in the precinct that have been subject to Planning Proposals, it is intended that a residential gross floor area (GFA) cap will be placed on this site and enforced through PLEP 2011 and a future Planning Agreement. This will ensure that

additional density cannot be granted that seeks to fill the indicative building envelope at the development application stage.

Urban Design

46. The Proponent submitted an *Urban Design and Landscape Report (Attachment 3)* with the Proposal that was reviewed by Council's Urban Design section as part of the assessment process. It is considered that the concept design (**Figures 10 and 11**) adequately demonstrates that an appropriate built form can be achieved on the site within the planning controls identified in the Planning Proposal and that an appropriate built form and height transition between the site and surrounding development is proposed. Notwithstanding, there are three (3) matters that will need to be given further consideration and be subject to refinement at the development application stage. These include the following principles which will be re-enforced as part of the amendment to the Melrose Park North DCP:
- Location of the residential entry to the building. The entry should be directly from the east side of the development and not the street. It is considered that this will provide a better edge to the proposed open space, improved internal space, and the opportunity for a pathway and canopy over the entrance.
 - Design of the proposed ground floor retail frontage.
 - Refinement of the interface between the new development and existing low density residential development to address any perceived privacy concerns.

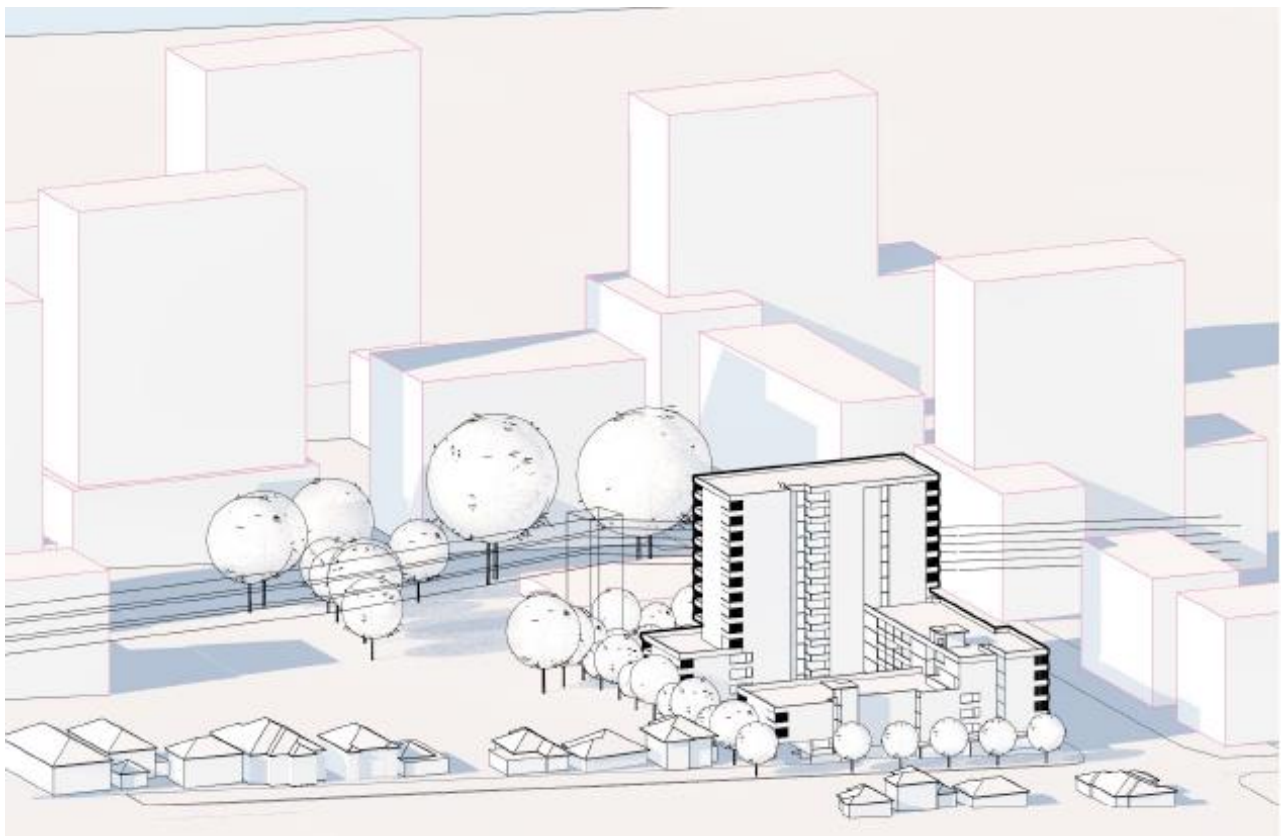


Figure 11. View of the site from the north-west

Open Space

47. Approximately 2,600m² of new public open space is proposed to be delivered as part of the Planning Proposal via a future Planning Agreement between Council and the Proponent (refer to **Figure 10** and **Attachment 3**). This space will be utilised

primarily as pedestrian/bicycle through-links along the northern and eastern edges of the site. Council's adopted Community Infrastructure Strategy (July 2020) typically requires sites proposed for high density residential uses provide a minimum 20% of the site area as open space. However, given the subject site is adjacent to the main Melrose Park North redevelopment area which will provide various large public open space areas for active and passive recreational purposes, it is not considered necessary for additional public open space to be required as part of this redevelopment.

48. The proposed public open space area along the eastern boundary contains high voltage power lines and is therefore limited in its function but is still able to contribute as usable open space. The Proponent will need to demonstrate that embellishment and use of this space is in accordance with the easement conditions requirements and constraints of the power line operator. This will be further refined as part of the Planning Agreement negotiations and be subject to specific development controls as part of an amendment to the Melrose Park North Site-Specific DCP which was adopted by Council on 11 October 2021. Both the Planning Agreement and draft DCP will be reported separately to Council prior to exhibition.
49. These open space areas are required to be deep soil zones to enable large tree plantings, where possible. However, as this land will eventually be dedicated to Council and become public land, it is to be excluded from the deep soil zone calculation that is required to be provided within the development site itself. The development site will still be required to contain deep soil zones separate to the public open space.
50. A *Flora and Fauna Assessment* was also submitted (**Attachment 4**) with the Planning Proposal and reviewed by Council officers. No concerns were raised as a result of the assessment.

Traffic and Parking

51. The Proponent submitted a *Preliminary Traffic Impact Assessment* (**Attachment 5**) which was reviewed by Council's Traffic Services Team. No major concerns have been raised regarding the anticipated combined residential and commercial/retail trip generation rates (up to 69 trips in the AM peak and 83 trips in the PM) as it is not considered that these will have significant implications on the broader Melrose Park Precinct.
52. The parking rates referenced in the *Traffic Impact Assessment* are based on those required by Table 3.6.2.3 of Part 3 within the PDGP 2011. As such, it is estimated that a total of 203 new parking spaces will be required as part of the development. These rates are considered appropriate in the current circumstances given the unknown nature of the PLR2 stop locations.
53. Should certainty be provided regarding the delivery of Parramatta Light Rail Stage 2 and stop locations prior to the lodgement of a development application on this site (should the Planning Proposal be endorsed) then a reduction in the required parking rates may be considered to align with Objective 3J-1 of the Apartment Design Guide which enables flexibility in parking provision for a development based on the context of the site and availability and frequency of public transport, at the time of the development application being lodged and assessed. A detailed Traffic and

Transport Assessment will also be required from the proponent to accompany any development application.

54. This Planning Proposal is also required to consider the findings of the Transport Management and Accessibility Plan (TMAP) that was prepared as part of the Melrose Park North Planning Proposal in 2018. Based on the currently active Planning Proposals in the precinct, this proposed development will not result in the total dwelling yield identified in the TMAP for the precinct being exceeded.

Flooding

55. The subject site is located approximately 300m north of a tidal reach of Parramatta River but is not affected by mainstream flooding from the main Parramatta River channel. A *Concept Stormwater Strategy* and supporting information showing how this site integrates with (and does not act against) the Master Plan, DCP and Water Management Strategy that has been prepared for the whole northern precinct with regard to overland flow flooding, piped stormwater drainage, on site and public stormwater detention and water sensitive urban design (WSUD) (**Attachment 6**) was submitted with the Planning Proposal. This information was assessed by Council's Senior Catchment and Development Engineer who considered it sufficient for this stage in the planning process.
56. The key findings of the subsequent assessment identified the following:
- The provision of a 6m wide overland flow path around the northern and eastern perimeter of the proposed B4 Mixed Use zoned land would prevent adverse impacts from being experienced in adjacent development.
 - The depth of flow in the designated overland flow path is no greater than 0.3m in a 1% Annual Exceedance Probability (AEP) storm event and is considered acceptable.
 - The proposed development would not result in adverse flooding conditions being experienced in adjacent development, noting the impacts that are shown to the south of Hope Street are a function of changes in the road configuration associated with development in the Planning Proposal site and the fact that the results are based on 100% blocked conditions. The developer will be required implement a system to Council's satisfaction that can be maintained to ensure no major blockages are present that will prevent the efficient drainage of water.
 - The resulting velocity-depth product and flood hazard vulnerability classifications confirm that conditions would be safe along the full length of the overland flow path during a 1% AEP storm event.
 - The peak 1% AEP water surface elevation contours should be used to set the minimum habitable floor levels in the proposed development.
 - On-site detention will be required within the new development to manage internal stormwater run-off.
 - It is envisaged that stormwater runoff from the subject site will be treated by the use rainwater tanks, stormfilter cartridges and bioretention areas as part of WSUD measures.
57. This information was prepared using the extensive modelling that was undertaken as part of the Melrose Park North Planning Proposal as a base. It has been assessed by Council officers and considered to be sufficient for this stage in the process. No significant concerns were raised that cannot be addressed at the development assessment stage, noting that controls within the Melrose Park North Site-Specific DCP and the Stormwater Management Strategy will apply to any future development

application. Any required changes to the DCP as a result of the inclusion of this site will be reported separately to Council prior to exhibition.

Heritage

58. The site is located within proximity to the *Bulla Cream Dairy* at 64 Hughes Avenue, Ermington which is a locally significant item identified as I64 within Schedule 5 of PLEP 2011. This item is a bungalow residence surrounded by significant planting. It is diagonally opposite the subject site on the corner of Hope Street and Hughes Avenue on the southern side of Hope Street. Refer to **Figure 12** for the location of the heritage item (I64 coloured brown) to the subject site (outlined red).
59. The Proponent did not submit a Heritage Impact Assessment or Study; however, the Planning Proposal was referred to Council's Heritage Advisor who raised no concerns.

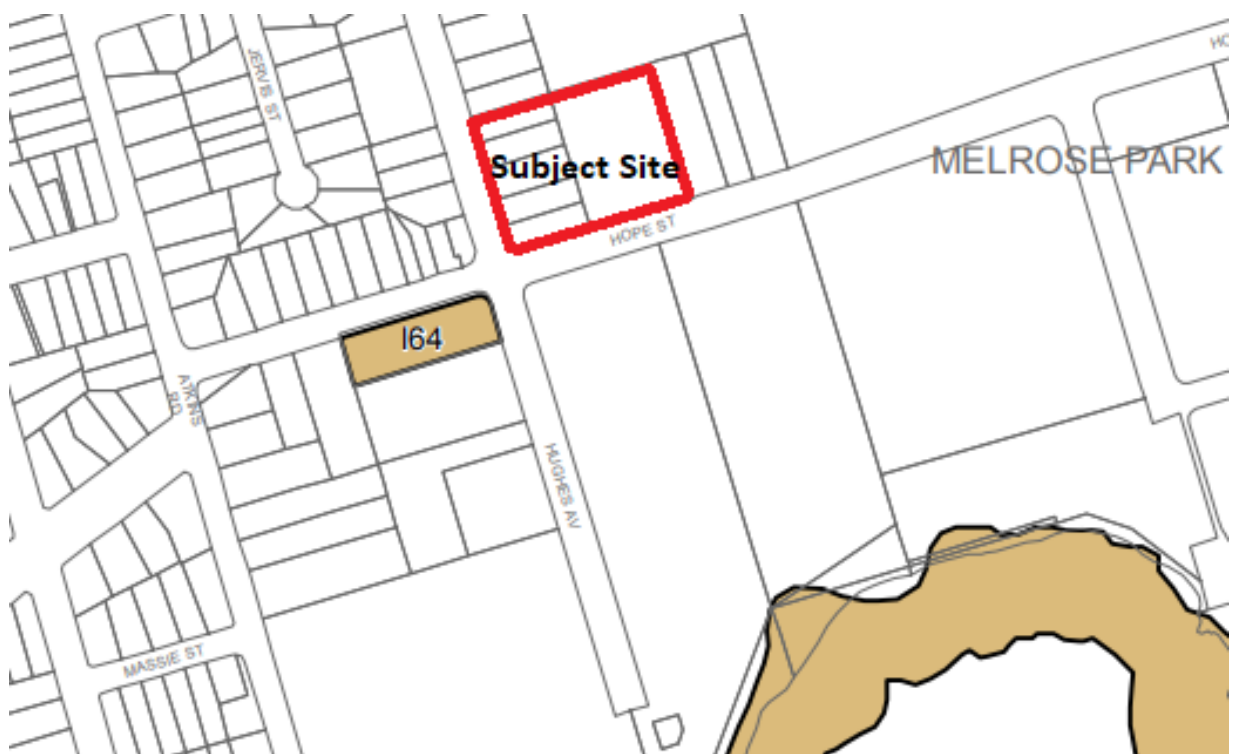


Figure 12. Location of local heritage item I64 to the subject site

Contamination

60. The Proponent submitted a *Phase 1 Preliminary Site Investigation Report (Attachment 7)* as part of the Planning Proposal's supporting documents. The report identified several potential contamination issues, including the presence of hazardous material such as asbestos and/or lead containing products, heavy metals, contaminated fill and traces of chemical waste. The report also noted that contamination of nearby ground a surface water is also possible.
61. It is considered that there is a moderate potential for contamination to have occurred on the site as a result of past and present land uses. As a result, a Phase 2 Detailed Site Investigation including soil and groundwater sampling will be required to be undertaken as part of any future development application. Notwithstanding, it is not considered that the contamination issues identified in the Preliminary Site

Investigation Report are of such significance to prevent the Planning Proposal from progressing to Gateway.

Social Outcomes

62. A *Social Impact Assessment* (SIA) was submitted with the Planning Proposal (refer **Attachment 8**) and reviewed by Council officers who have raised no concerns regarding the Planning Proposal. However, it is noted that this is contingent upon the dwelling mix being achieved as per those specified in the Melrose Park North Site-Specific DCP. The required dwelling mix is identified in **Table 2**:

Table 2. Required dwelling mix

| Dwelling Type | Dwelling Mix |
|-------------------|-----------------------------|
| 1 Bedroom | 10 – 20% of total dwellings |
| 2 Bedroom | 60 - 75% of total dwellings |
| 3 Bedrooms | 10 - 20% of total dwellings |

63. The SIA identifies that the number of incoming potential new residents that could be generated by this site in isolation is not significant but combined with the estimated incoming population associated with the Melrose Park North Planning Proposal, could place pressure on existing community facilities. This is not considered to be a significant issue given the proposed upgrades to existing community facilities such as the Ermington Community Hub and additional services that will be provided within the new town centre in the main part of the northern precinct.
64. In relation to disturbance to local residents during construction, it is considered this will be offset by the overall improved amenity that will result from the removal of the industrial uses and replaced with residential and open space uses. Further, a construction management plan will be required at the development application stage demonstrating how the potential negative amenity impacts will be mitigated.
65. The Planning Proposal currently make no provision for Affordable Rental Housing on the site. This matter will form part of future Planning Agreement negotiations should Council resolve to progress the Planning Proposal as it is considered important for some contribution to affordable housing to be made as part of this proposal.

Employment

66. A key consideration in the redevelopment of the precinct as a whole is the retention of employment generating land uses to ensure a sufficient number of jobs are able to be provided on-site. A requirement of the ELS is that there be no net job loss on site as a result of redevelopment. At the time of finalising the ELS in 2016, there were approximately 2,546 employees in the precinct in total, however this has subsequently reduced as a result of further relocations of tenants. The ELS does not provide a breakdown of the number of employees in the northern and southern precincts individually. Refer to **Table 3** for a distribution of employment numbers between the ELS and northern and southern precincts based on the known job numbers included in previous and active Planning Proposals in the precinct. These

approximate figures have been allocated on a pro-rata basis and are subject to refinement as Planning Proposals are submitted for the undeveloped sites.

Table 3. Job number comparison

| | Job Number (long term) | % of Total Jobs Compared to ELS Requirement |
|--|------------------------|---|
| ELS Requirement | 2,546 (as at 2016) | - |
| Northern Precinct (Payce site) | 1,538-1,932 | 60%-76% |
| Northern Precinct (Tomola site) | 76 | 2.9% |
| Southern Precinct (Holdmark) | 160 | 6.3% |
| Southern Precinct (remaining sites) | 454-848 | 18%-33% |

67. The Planning Proposal proposes to include a minimum of 1,400m² of non-residential floor space that could potentially generate 76 new jobs. The *Economic Impact Assessment (Attachment 9)* submitted with the Planning Proposal does not provide significant detail about the subject site. However, as only a portion of the subject site (19 Hope Street) was previously occupied by an employment generating land use (industrial) with the remainder currently low density residential, the economic impacts on existing retail and commercial areas within proximity to the precinct are unlikely to be significant in the context of the overall precinct. The ELS does not provide a breakdown of employment numbers on a site-by-site basis and therefore it is difficult to determine the number of jobs that should be created by the Planning Proposal. As a result, given the relatively small size of the site, and that it is intended to be, in part, employment generating once redeveloped, then the proposed job number is considered appropriate. The retail/commercial component proposed as part of the Planning Proposal is intended to support, not interfere with, the new town centre within the larger Melrose Park North precinct which will be located on Hope Street east of the Tomola site.

Environmental Outcomes

68. The Planning Proposal and *Sustainability Statement (Attachment 10)* were reviewed by Council's Environmental Outcomes team who consider the proponent's approach to meeting the required sustainability targets appropriate.

Other

69. The submitted Acoustic Report (**Attachment 11**), Preliminary Geotechnical Assessment (**Attachment 12**), Engineering Services Report (**Attachment 13**), Site Survey (**Attachment 14**) and Community Engagement Strategy (**Attachment 15**) were also reviewed by a number of internal sections. The Community Engagement Strategy will require some minor changes prior to reporting to Council; however, is sufficient for this stage in the reporting phase given the small scale of the site. Otherwise, no concerns were raised regarding the submitted material for the purposes of progressing the Planning Proposal to Gateway.

DEVELOPMENT CONTROL PLAN

70. 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 to intended outcome of the precinct.

PLANNING AGREEMENT

71. A Planning Agreement can be made under Subdivision 2 of the EP&A Act and is a voluntary agreement between Council and the developer, under which the developer may agree to dedicate land free of cost, pay a monetary contribution or provide other material public benefit, or a combination of these, to be used towards a public purpose.
72. The Act specifies that a public purpose includes the provision of public amenities or public services, the provision of affordable housing, the provision of transport or other infrastructure relating to the land, the funding of recurrent expenditure relating to any of these, the monitoring of the planning impacts of a development and the conservation or enhancement of the natural environment.
73. Council has an adopted Planning Agreement Policy (2018) which sets out the principles governing such agreements, matters that Council will consider in negotiating agreements, steps in the negotiating process, public probity, notification requirements and implementation. The EP&A Act and Regulation sets out the legal and procedural framework for planning agreements.
74. Key principles of Council's policy are that:
- planning decisions will not be bought or sold through planning agreements,
 - development that is unacceptable on planning grounds will not be permitted because of the benefits of a planning agreement,
 - the benefits of the planning agreement will bear a relationship to the application,
 - Council will not give undue weight to a planning agreement when making a decision on a development application, and
 - Council will not improperly rely on its position in order to extract unreasonable public benefits under planning agreements.
75. 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 was not submitted with the Planning Proposal. It is essential that all developers make a fair and equitable contribution to the infrastructure needs associated with the future growth in Melrose Park. It is not entirely incumbent upon the Council to fund the provision of key infrastructure directly attributable to new development of this scale, therefore 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.

76. The Planning Agreement adopted by Council for the northern precinct in October 2021 includes a per-dwelling contribution amount of \$19,349. This amount has been calculated based on the anticipated dwelling yield in the precinct and the cost of the required infrastructure to support the incoming population. An identical approach is intended to be taken with all landowners within the precinct and forms the basis of Planning Agreement negotiations. This approach ensures that an equitable contribution is made by all landowners to funding the required infrastructure and that the funding is directed solely towards improving the precinct.
77. Due to the significant increase in density that is proposed by the Planning Proposal and broader Melrose Park Precinct, it is anticipated that a contribution towards State infrastructure will be required and that a separate Planning Agreement will be entered into between the developer and State agencies. This Planning Agreement is intended to relate to infrastructure such as the proposed new school and upgrades to State-owned roads. This process is managed by the State Government.

PLAN MAKING DELEGATIONS

78. 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 and for this reason. However, as the scale of this Planning Proposal is significantly smaller it is considered appropriate to seek delegation.
79. 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

80. 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.
81. 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.

CONCLUSION AND NEXT STEPS

82. 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 the LPP recommend to Council that the Planning Proposal provided at **Attachment 1** be endorsed and forwarded to the Department of Planning and Environment for Gateway determination.

















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ATTACHMENTS:

| | | | |
|----|---|--|-----------|
| 1 |  | Draft Planning Proposal | 76 Pages |
| 2 |  | Melrose Park TMAP | 117 Pages |
| 3 |  | Urban Design and Landscaping Report | 50 Pages |
| 4 |  | Flora and Fauna Report | 4 Pages |
| 5 |  | Preliminary Traffic Impact Assessment | 6 Pages |
| 6 |  | Concept Stormwater Strategy | 24 Pages |
| 7 |  | Preliminary Site Investigation (Contamination) | 47 Pages |
| 8 |  | Social Impact Assessment | 55 Pages |
| 9 |  | Economic Impact Assessment | 2 Pages |
| 10 |  | Sustainability Statement | 3 Pages |
| 11 |  | Acoustic Report | 8 Pages |
| 12 |  | Preliminary Geotechnical Assessment | 10 Pages |
| 13 |  | Engineering Services Report | 21 Pages |
| 14 |  | Site Survey | 5 Pages |
| 15 |  | Community Engagement Strategy | 14 Pages |
| 16 |  | Hazard Analysis Report | 107 Pages |

REFERENCE MATERIAL