

Site Specific Development Control Plan for 108 Station Street Wentworthville – Post-exhibition report

Responsible Division: Environment & Infrastructure
Officer: Group Manager - Planning
File Number: HC-23-08-22

Summary:

The purpose of this report is to progress the site specific development control plan (DCP) for 108 Station Street, Wentworthville following public exhibition. The site specific DCP supports a related Planning Proposal to amend Holroyd Local Environmental Plan (LEP) 2013 for this site.

The Cumberland Independent Hearing and Assessment Panel (IHAP) recommended that Council adopt a revised site specific DCP and a revised draft LEP amendment, and to re-exhibit both the revised site specific DCP and the amended LEP planning controls.

Report Recommendation:

That Council:

1. **Adopt the revised site specific development control plan dated July 2017 for 108 Station Street Wentworthville (per attachment 2) with the following amendment for the purposes of re-exhibition:**
 - a. **Substitute the proponent's draft sketch tabled at the August IHAP meeting for Figure 10 in the draft DCP, with the exception of the four storey area to the east of the two storey podium line that will remain at one storey.**
 - b. **Amend Figure 4 in the draft DCP to ensure consistency with Figure 10.**
2. **Amend the draft LEP as follows:**
 - a. **Amend the draft LEP height of buildings map to move the 41 metre height limit area in a south easterly direction to be consistent with the new Figure 10 in the DCP.**
 - b. **Amend the non-residential floor space in the draft LEP to a minimum requirement of 0.5:1.**
3. **Re-exhibit the revised draft LEP and draft DCP.**

Report:

A Planning Proposal for 108 Station Street, Wentworthville (the site), sought to amend the maximum height of buildings from 20m to 29m (8 storeys) and 41m (12 storeys); and to amend the floor space ratio (FSR) from 2.2:1 to 4.5:1 for the site, under Holroyd LEP

2013. The existing zoning of B2 Local Centre over the site is to be retained. The amended controls are to enable redevelopment of the site for a mixed use development, comprising multi storey residential units above commercial uses. At its meeting of 1 February 2017 (Item 004/17), Council resolved to progress the proposed planning controls for the site as an amendment to the Holroyd LEP 2013 (**Attachment 1**).

The site is shown in Figure 1 below.



Figure 1 – Site Location

The site is within the area of Wentworthville Centre covered by the *Wentworthville Planning and Placemaking Strategy* and the *Wentworthville Revitalisation project*. A Planning Proposal is currently being drafted to progress the planning controls for the Wentworthville Centre as a whole endorsed under that project. However the site of 108 Station Street is excluded from the Wentworthville Centre Planning Proposal, given there is a separate Planning proposal for that site.

In considering the post-exhibition report for the Planning Proposal in February 2017, the Cumberland IHAP recommended that a site specific DCP be prepared and exhibited.

The site specific DCP was prepared for 108 Station Street, Wentworthville, in accordance with the Cumberland IHAP recommendation and subsequent Council resolution. The DCP was prepared by Council to be generally consistent with the *Wentworthville Planning and Placemaking Strategy* as adopted by Council.

The public exhibition of the site specific DCP was undertaken between 26 April 2017 and 24 May 2017 with advertisements placed in the Parramatta Advertiser newspaper, and a notice on Council's website. Letter notifications were also sent to property owners in the vicinity of the site, and to people who made a submission to the Planning Proposal for the site. The exhibition material was available to view on Council's website, at the Council Administration Building in Merrylands, and at Council libraries in Merrylands and Wentworthville.

One (1) submission was received during the public exhibition period, being from the property owner and proponent of the Planning Proposal. The matters raised in that submission relate to two topics, being the:

- site specific development control plan as exhibited; and
- planning controls, particularly the building heights and floor space ratio associated with the Planning Proposal and amendment to the Holroyd LEP 2013.

The matters raised in the submission relating to the site specific DCP were assessed and a number of changes were proposed by Council officers in the post-exhibition report to the Cumberland IHAP. The revised draft site specific DCP is provided at **Attachment 2**. The matters raised in the submission relating to the Planning Proposal and proposed LEP amendment were not specifically addressed in the Cumberland IHAP report as Council had previously resolved to progress this amendment.

Cumberland Independent Hearing and Assessment Panel (IHAP)

The Cumberland IHAP, at its meeting of 9 August 2017, considered the report on the site specific DCP following the public exhibition period. The report to the Cumberland IHAP is provided at **Attachment 3**.

The proponent addressed the Cumberland IHAP meeting and tabled a document (**Attachment 4**) which raised matters in relation to the draft DCP, and the location of the building height and the non-residential FSR element of the planning controls under the proposed LEP amendment. Notwithstanding the previous resolution of Council in relation to the proposed LEP amendment for the site, the Cumberland IHAP accepted the proponent's submission relating to the Planning Proposal and recommended that certain changes be made as outlined below.

The Cumberland IHAP recommendation was as follows:

That the Cumberland Independent Hearing and Assessment Panel (CIHAP) recommend that Council:

1. Adopt the revised site specific development control plan dated July 2017 for 108 Station Street Wentworthville (per attachment 2) with the following amendment for the purposes of re-exhibition:

a. Substitute the proponents draft sketch tabled at the meeting for figure 10 in the draft DCP with the exception of the four storey area to the east of the two storey podium line and subsequent amendments to Figure 4.

2. Amend the draft LEP as follows:

a. Amend the draft LEP height of buildings map to move the 41 metre height limit area in a south easterly direction to align with the new figure 10 in the DCP.

b. Amend the non-residential floor space in the draft LEP to a minimum requirement of 0.5:1.

3. *Re-exhibit the draft LEP and draft DCP.*

Conclusion:

This matter was considered by the Cumberland IHAP on 9 August 2017 which recommended that further amendments be made to the site specific DCP, and to the draft LEP amendment of the planning controls of the site. This report to Council recommends that the site specific DCP and draft LEP amendment be revised to reflect the IHAP's recommendations, and be then re-exhibited.

Consultation:

If Council resolves per the recommendations of this report, the revised site specific DCP and the revised LEP amendment will be re-exhibited. A report on the outcomes of the re-exhibition would subsequently be provided to the Cumberland IHAP and Council.

Financial Implications:

There are no financial implications for Council associated with this report.

Policy Implications:

Council has previously resolved to finalise the LEP amendment for 108 Station Street, Wentworthville. That resolution would be superseded by a resolution to amend and re-exhibit the LEP amendment as recommended in this report.

Following re-exhibition of the revised planning controls a report will be prepared for Cumberland IHAP and subsequently to Council addressing any submissions received.

Communication / Publications:

Both the site specific DCP and proposed planning controls will be re-exhibited for a period of 28 days and will be advertised in local newspapers and on Council's website.

Supplementary Attachments:

Supplementary attachments, being the attachments to the Cumberland IHAP report C028/17 for the meeting of 9 August 2017 are available via Council's website:

<http://www.cumberland.nsw.gov.au>

Attachments:

1. Council Report and Minutes of 1 February 2017 (Item 004/17).
2. Revised Development Controls - 108 Station Street - July 2017.
3. Cumberland IHAP report and minutes 9 August 2017.
4. Proponent document tabled at Cumberland IHAP meeting 9 August 2017.

i. On receipt of all required information to the satisfaction of the General Manager, proceed with the preparation of a planning proposal for 2 Percy St, Auburn (PP-2/2017) on the following basis:

- iv. permit 'educational establishment' as an additional permitted use under Schedule 1 of Auburn LEP 2010;
add the site to the Additional Permitted Uses Map;
amend the Height of Buildings Map to provide for a maximum building height
- v. for the site of 10m, or up to 12 m height if adequately justified by information provided under recommendation 3;
- vi. incorporate any revisions required that result from the revised Flood Impact Assessment; and
- vii. incorporate any revisions that result from the revised traffic and transport assessment, including a Letter of Offer for a Planning Agreement, if appropriate.

j. The General Manager be requested not to subdelegate this matter.

Min.222 ITEM 155/17 - SITE SPECIFIC DEVELOPMENT CONTROL PLAN FOR 108 STATION STREET WENTWORTHVILLE – POST-EXHIBITION REPORT

Moved and declared carried by the Administrator that Council:

1. Adopt the revised site specific development control plan dated July 2017 for 108 Station Street Wentworthville (per attachment 2) with the following amendment for the purposes of re-exhibition:

- a. Substitute the proponent's draft sketch tabled at the August IHAP meeting for Figure 10 in the draft DCP, with the exception of the four storey area to the east of the two storey podium line that will remain at one storey.
- b. Amend Figure 4 in the draft DCP to ensure consistency with Figure 10.

2. Amend the draft LEP as follows:

- a. Amend the draft LEP height of buildings map to move the 41 metre height limit area in a south easterly direction to be consistent with the new Figure 10 in the DCP.
- b. Amend the non-residential floor space in the draft LEP to a minimum requirement of 0.5:1.

3. Re-exhibit the revised draft LEP and draft DCP.

Min.223 ITEM 156/17 - CUMBERLAND PLANNING AGREEMENTS POLICY AND GUIDELINES

Moved and declared carried by the Administrator that Council:

1. Amend the Draft Cumberland Planning Agreements Policy (at Attachment 2) to require a contribution of at least 5% of any potential additional residential floorspace (or where impracticable, an equivalent monetary contribution) for affordable housing be included in Planning agreements (related to planning proposals that would result in potential