

Neil Street Precinct, Merrylands - Urban Design Review

Responsible Department: Environmental and Planning Services
Executive Officer: Director of Environmental & Planning Services
File Number: INFOC/10 - BP15/1400
Delivery Program Code: 5.1.1 Oversee the land use planning, design and compliance framework for managing and facilitate appropriate development
7.1.2 Ensure land use planning recognises and promotes business and employment centres
8.1.1 Oversee and implement Council's Residential Development Strategy and appropriate housing opportunities through land use planning
8.2.1 Ensure housing growth is focused around centres and planning controls do not compromise housing affordability
Previous Items: COTW012-14 - Neil Street Precinct, Merrylands - Closed Council - 15 Jul 2014 6.30 pm

Note: Included in Closed Council in accordance with Section 10A(2)(c) of the Local Government Act as the information involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Summary:

The purpose of this report is to provide Council with a Strategy to form the basis of a planning proposal and to guide the redevelopment of the Neil Street Precinct, Merrylands. This report recommends that Council endorse the Merrylands Neil Street Precinct Urban Design Review and associated Holroyd Local Environmental Plan (LEP) 2013 and Holroyd Development Control Plan (DCP) 2013 amendments contained within it for gateway submission and public consultation.

Report:

Within Closed Council at the Ordinary Meeting of 15 July 2014, a report was considered by Council that proposed a review of planning controls in the Neil Street Precinct. A development feasibility study for the Precinct was completed as part of this report that indicated many of the development sites in the Precinct may not be feasible within the current framework of planning controls. Eight opportunities for "modest but effective changes" (seven to planning controls) were identified that would assist in making sites feasible and improve development certainty. The resolution included incorporating these opportunities for potential change after undertaking built form modelling of the Precinct.

While Council endorsed the proposed changes recommended in the report, further investigation of the controls in the Neil Street Precinct as part of the urban design work (built form modelling) revealed that more detailed urban design work was required to adequately address feasibility and development outcomes across the entire Precinct. As a result, a comprehensive review of the planning and design provisions within the Precinct was undertaken that sought to ensure the feasibility of sites within the Precinct whilst better ensuring residential amenity and maintaining the desired future character of the public domain. The revised structure and planning framework will also improve development certainty.

The review entitled 'The Merrylands Neil Street Precinct Urban Design Review' builds on the planning controls, principles and guidelines contained within Holroyd LEP 2013 and Holroyd DCP 2013 as well as earlier studies prepared by HBO+EMTB Landscape and Design for the Centre in 2012 and the Urban Design Advisory Service (UDAS) that informed changes to planning provisions in the Precinct in 2004. The Urban Design Review is provided as Attachment 1 to this report.

The key objectives of the Urban Design Review are:

- To assess the current controls and identify inconsistencies.
- To determine the general structure and built form for the Neil Street Precinct to maximise achievable development yield within the context of the location.
- To provide an open space network which is an integral part of the urban structure that compliments the Merrylands City Square.
- To provide clear planning controls to guide the form of future development in the Neil Street Precinct to lead to development of zoning plans, development standards and design controls for inclusion in the DCP 2013 and LEP 2013.

An important element of the Urban Design Review is to maintain the general principle of providing a transition in building heights from the lower scale residential development to the north of the Merrylands Centre through to the higher scale mixed use development in the core of the Centre. This transition was established in the planning and urban design work that was undertaken by HBO+EMTB to inform the preparation of LEP 2013 and DCP 2013 and focuses the majority of higher building heights in the area of primary commercial activity in the Centre; Merrylands Road and McFarlane Street.

Within this framework the Urban Design Review contains the following elements:

- Key issues, opportunities and constraints affecting the Neil Street Precinct
- A structure plan covering the open space network and connectivity within the Precinct as well as built form components and the proposed distribution of land uses
- Proposed amendments to Holroyd LEP 2013 in relation to zoning, height of buildings and floor space ratio controls

- Proposed amendments to Holroyd DCP 2013 in relation to building envelopes, setbacks and separations, solar access and street activation. Additionally, more detailed 'block by block' controls are proposed that provide specifically tailored built form and public domain controls to ensure high quality development outcomes.

Summary of Proposed Changes

The key changes proposed in the Urban Design Review compared to the existing planning framework within the Neil Street Precinct are summarised as follows:

- B6 Enterprise Corridor zoning along New Road 1 replacing R4 High Density Residential Zone with commercial premises as an additional permitted use (APU).
- Reservation of new roads and open space (overland flow path) with RE1 Public Recreation and SP2 Infrastructure zones.
- Revised building footprints and setbacks.
- Reduction of the width of the overland flow path between Gladstone Street and Neil Street from 40m to 35m.
- A new 1,500sqm centrally located public park.
- Increase in building heights generally to 27m – 42m (8 to 12 storeys); with 54m (16 storeys) along Pitt Street, south of Neil Street; and three locational buildings of 54m (16 storeys) and 65m (20 storeys).
- Revised floor space ratios to better ensure development feasibility.
- Revised structure and connectivity.

The changes proposed to zoning, FSR and height of building provisions in Holroyd LEP 2013 are summarised in the following table, full details are included in the Urban Design Review:

Properties	Zone Current	Zone Proposed	FSR Current	*FSR Proposed	Height Current	*Height Proposed
Block A 180-188 Pitt St	B4	B4	3.5	3.5	26m, 29m	30m, 42m
Block B 208-220 Pitt St 2-6 Gladstone St	B4, R4,	B4,B6, SP2	5.0	5.0	32m, 41m	42m, 54m
Block C 224-240 Pitt St (Pitt St Frontage)	B4, R4	B4, B6	6.5	6.5, 5.0	32m, 41m 53m	42m, 54m
Block D 224-240 Pitt St (Adjoining Rail Corridor)	R4	R4, B6, SP2, RE1	4.5	5.0	32m, 41m	39m, 54m, 65m
Block E 1-11 Neil St	R4	R4, SP2, RE1	2.8, 3.0	3.5	26m, 29m	27m, 30m, 39m
Block F	R4	R4,B6,	2.8, 3.0	3.5, 4.5, 8.5	26m, 29m	27m, 30m,

13-17 Neil St		SP2, RE1				54m
Block G 171-185 Pitt St	B4	B4	3.5, 5.0	3.5, 5.0	26m, 29m, 41m	30m, 54m

* There are no Height or FSR limitations proposed over the new roads and drainage corridor

Consultation with Other Council Departments

Throughout the preparation of the Urban Design Review, in depth consultation was undertaken with Council's Engineering Department in relation to traffic, flooding and drainage issues in particular. Recommended actions and controls within the Urban Design Review in relation to the treatment of the existing Sydney Water culvert and drainage swale running through the Precinct have been formulated with consideration to Engineering Services input.

Additionally, on the advice of Engineering Services, a separate flooding investigation study has been prepared by Lyall and Associates to assess the impact the proposed changes to the building footprints in the Neil Street Precinct will have on flooding behaviour and whether additional measures are required to mitigate the impacts of the potential changes on flooding behaviour. This study was based in part on updated flooding levels provided by Engineering Services. A copy of the Neil Street Precinct Flooding Investigation is included as Attachment 2 to this report.

The study considered three (3) development scenarios:

- Development Scenario 1 – Proposed building envelopes in the Neil Street Precinct with only limited drainage works across the Merrylands Centre.
- Development Scenario 2 – Proposed building envelopes in the Neil Street Precinct but with drainage works limited to the east (downstream) of Stockland Mall.
- Development Scenario 3 – Proposed building envelopes in the Neil Street Precinct with drainage works undertaken in accordance with the preferred flood risk management scheme for the Centre.
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The study concluded that development could proceed in the Neil Street Precinct prior to the redevelopment of the remainder of the Merrylands Centre, but it would be necessary to construct the elements of the preferred flood risk management scheme east of Stockland Mall as part of the Precinct development.

Consultation with Landowners

As part of the preparation of the Urban Design Review consultation was also undertaken with property owners within the Neil Street Precinct. Detailed discussions and advice have been provided to a number of key property owners within the Precinct as part of pre-development application meetings. In addition, discussions have been held with a number of property owners in relation to design opportunities and

constraints involving their sites in the Precinct. Input from property owners as a result of these discussions has informed a number of recommendations of the Urban Design Review.

Conclusion:

The Merrylands Neil Street Precinct Urban Design Review has been prepared based on in depth analysis of the existing planning provisions within the Neil Street Precinct, as well as feasibility analysis, input from a range of stakeholders and consideration of opportunities and constraints affecting the Precinct. The Review brings together all of these elements and its recommendations will form the basis of amendments to Holroyd LEP 2013 and Holroyd DCP 2013.

Consultation:

Community consultation will be undertaken in relation to amendments to Holroyd LEP 2013 and Holroyd DCP 2013 based on the recommendations of this report and will include the following:

- 5 week community consultation period
- Notification letters to affected and adjoining property owners
- Notifications in local newspapers
- Details of proposed amendments included on the Council website, at the Administration Building and at the Merrylands Library
- 2 community 'drop in' sessions where Council officers will be available to take enquires outside normal business hours

Financial Implications:

Financial implications associated with this report are provided for within the existing Strategic Planning operational budget.

Policy Implications:

The recommendations of this report will result in amendments to Holroyd LEP 2013 and Holroyd DCP 2013.

Communication / Publications:

As part of any community consultation process associated with this report, notifications will be sent to all affected and adjoining property owners and notifications will be placed in local newspapers (as indicated above).

Report Recommendation:

- i) That Council endorse the Merrylands Neil Street Precinct Urban Design Review.
- ii) That a planning proposal to amend Holroyd Local Environmental Plan (LEP) 2013 be prepared and submitted to the Department of Planning and Environment for gateway determination based on the Merrylands Neil Street Precinct Urban Design Review.
- iii) That amendments to Holroyd Development Control Plan (DCP) 2013 be prepared and public consultation be undertaken based on the Merrylands Neil Street Precinct Urban Design Review.
- iv) That pending favourable gateway determination, Council proceed to community consultation for the planning proposal and DCP amendments, as well as the suburb boundary changes previously resolved in the Council report of 15 July 2014 (COTW012-14).
- v) That the Merrylands Neil Street Precinct Urban Design Review report be made available to the public prior to the gateway submission.

Council Resolution

Resolved on the motion of Clr. Monaghan, seconded Clr. Nasr Kafrouni that:

- i) Council endorse the Merrylands Neil Street Precinct Urban Design Review.
- ii) A planning proposal to amend Holroyd Local Environmental Plan (LEP) 2013 be prepared and submitted to the Department of Planning and Environment for gateway determination based on the Merrylands Neil Street Precinct Urban Design Review.
- iii) Amendments to Holroyd Development Control Plan (DCP) 2013 be prepared and public consultation be undertaken based on the Merrylands Neil Street Precinct Urban Design Review.
- iv) Pending favourable gateway determination, Council proceed to community consultation for the planning proposal and DCP amendments, as well as the suburb boundary changes previously resolved in the Council report of 15 July 2014 (COTW012-14).
- v) The Merrylands Neil Street Precinct Urban Design Review report be made available to the public prior to the gateway submission.

A division was called, the result of the division required in accordance with Council's

Code of Meeting Practice is as follows:

Ayes

Clr. Cummings(Mayor)

Clr. Dr. Brodie

Clr. Colman

Clr. Grove

Clr. Nadima Kafrouni

Clr. Nasr Kafrouni

Clr. Lake

Clr. Monaghan

Clr. Rahme

Clr. Whitfield

Clr. Zaiter

Noes

Nil.

Attachments:

1. Neil Street Precinct Flooding Investigation
2. Merrylands Neil Street Precinct Urban Design Review