

Planning Proposal and associated Draft Development Control Plan for Woodville Road Neighbourhood Centre, Merrylands

Responsible Division: Environment & Infrastructure
Officer: Group Manager - Planning
File Number: SC125 & SC360

Council at its meeting on 13 December 2017 resolved that the matter be deferred to the meeting to be held on 20 December 2017.

Summary:

This report outlines a planning proposal seeking to rezone land on Woodville Road, Merrylands, and to increase height and FSR controls applying to the subject land for the establishment of a mixed use neighbourhood centre with supermarket, commercial space, high density residential and public open space.

This planning proposal was originally lodged with Parramatta City Council, and was transferred to Cumberland Council following amalgamation. A Gateway Determination was issued by the Department of Planning and Environment (the Department), prior to the transfer of the planning proposal to Cumberland Council.

A key requirement of the Gateway Determination was to address the transition between the subject land and the surrounding areas. A Development Control Plan (DCP) amendment (Attachment 4) has been prepared to address this requirement.

The purpose of this report is to seek Council's endorsement of the detailed controls in the draft DCP for the purposes of community consultation and resolution to place the planning proposal and Draft DCP amendment on exhibition for public comment. Comments from relevant government agencies will also be sought during this exhibition process, as stipulated in the Gateway Determination.

Report Recommendation:

That Council:

1. Endorse the revised draft DCP amendment for the Woodville Road Neighbourhood Centre Precinct (Attachment 3) for community consultation and it be placed on public exhibition with the Planning Proposal (Attachment 2) for a minimum of 28 days commencing on 10 January 2018.
2. Require that further modelling of the proposed built form envelopes be undertaken during the public exhibition period with the desired outcome of achieving a minimum of two hours of direct sunlight to a minimum of 50% of the proposed public open space between 12-2pm during the winter solstice.
3. Receive a report following completion of the formal community consultation and

review by the Cumberland IHAP, which addresses any issues raised in submissions, any government agency comments, and which incorporates outcomes of the additional solar access modelling undertaken during the exhibition period.

Report:

Background

A planning proposal request for the rezoning of land on Woodville Road, Merrylands (Figure 1), to B4 Mixed Use with new height and FSR controls was originally lodged with Parramatta City Council in March 2015. A revised proposal was considered by that Council on 7 December 2015. Cumberland Council is now the Relevant Planning Authority (RPA) for the planning proposal, following amalgamation.

Knight Frank Pty Ltd on behalf of Wiltex Wholesale Pty Ltd ACN: 000461245 is the proponent for this proposal.



Figure 1: Site Location and Context



Planning Proposal and Gateway Determination

The following proposed controls have been supported by the Gateway Determination issued by the Department (as delegate for the Greater Sydney Commission):

LEP Controls	Existing	Proposed/Gateway Determination
Zoning	Part B6 Enterprise Corridor and R2 Low Density Residential	B4 Mixed Use Zone
Maximum building height	Maximum building height: 12m (1 storey) for B6; 9m for R2 zones.	31m (9 storeys)
Maximum FSR	1.5:1 for B6 0.5:1 for R2	2:1
LEP Instrument	Parramatta LEP 2011	Parramatta LEP 2011

It is noted that the planning proposal (to amend the LEP) cannot be revised or reconsidered at this stage (other than if a formal review request were agreed by the Department). The proposal will be presented to Council for further consideration following formal community consultation and feedback.

The land owned by the proponent is approximately 2.6 Ha in size. The Gateway Determination included an additional 0.24ha in other ownerships, increasing the size of the land included in the planning proposal to approximately 2.84ha (subject land), and comprises:

- 246-264 Woodville Road (former John Cootes Warehouse site),
- 244 Woodville Road,
- 2, 4, 6, 8-8a, 10, 12 and 14-16 Lansdowne Street, and
- 19 Highland Street, Merrylands.

The Gateway Determination dated 23 June, 2016 (Attachment 1) required Council to amend the planning proposal to correct minor drafting issues and:

- *to... indicate that that a site specific provision for the FSR calculation applies to wintergardens..... (As noted by Parramatta Council this is required to exclude Wintergardens from Gross Floor Areas in the calculation of FSR for development fronting Woodville Road to encourage the provision of Wintergardens);*
- *to...include land at 244 Woodville Road and land at 6, 10 and 12 Lansdowne Street Merrylands, in the land to which the plan applies. These sites are to be zoned to B4 Mixed Use, with a maximum height of building of 31 m and a maximum FSR of 2.0:1; and*

- *outline the proposed method to achieve an appropriate transition to the land located to the west currently zoned R2 Low Density Residential fronting Lansdowne Street and Highland Road.*

These aspects have been addressed in both the revised planning proposal and Draft DCP as appropriate.

Draft Development Control Plan (DCP)

The Draft DCP included at Attachment 3 applies to the Woodville Road Neighbourhood Centre, Merrylands, the extent of which has been informed by the Draft Woodville Road Planning Strategy. The land subject to the planning proposal is identified as a key site within this precinct. Reference to the surrounding land within this precinct is included in the DCP to provide context for the John Cootes development site (subject of the planning proposal).

The Draft DCP Amendment has been prepared to be inserted as 4.1.12 Woodville Road Neighbourhood Centre Precinct into Part 4.1 of the Parramatta DCP. The amendment proposes to introduce site specific controls in relation to:

- Precinct Character,
- Setbacks,
- Urban Structure, Form & Density,
- Lot Consolidation & Minimum Street Frontage,
- Building Heights (number of storeys) & Transition,
- New Streets,
- Open Space and Public Domain,
- Building Elements (presentation), and
- Traffic Management and Parking,

Cumberland Independent Hearing and Assessment Panel (IHAP)

The Planning Proposal and Draft DCP were first reported to the September 2017 meeting of the Cumberland IHAP. The IHAP recommended that the matter be deferred at the request of the proponent to enable staff to consider the material tabled by the proponent at that meeting.

In response to this recommendation, the Draft DCP has been revised following consideration of the material tabled, and preliminary feedback from the Cumberland IHAP has been incorporated.

This matter, including the revised draft DCP, was reported to the November meeting of the Cumberland IHAP. At this meeting the IHAP recommended to Council that:

- the planning proposal and Draft DCP be placed on public exhibition,
- a report be provided to the IHAP and Council following completion of the exhibition, including any comments raised in submissions, and any agency comments,
- prior to or during exhibition, Council officers give further consideration to the transition in scale and built form, particularly along the southern boundary of the John Cootes

development site, and that additional cross sections be subsequently included in the DCP,

- prior to or during exhibition, Council officers undertake further modelling of the proposed built form envelopes with the desired outcomes of achieving a minimum of two hours direct sunlight to a minimum of 50% of the proposed public open space (park) between 12-2pm at the winter solstice, and
- that the public exhibition material include information regarding the above two points.

A copy of the Minutes from this IHAP meeting is contained in Attachment 4.

Revised north-south and east-west cross sections have been included in the Draft DCP as revised Figure 4.1.12.7 Height/Scale Transitions, to better illustrate the desired transition outcomes and relationship with surrounding areas, particularly the school. The additional modelling recommended by the Cumberland IHAP will be undertaken during the public exhibition period, and any updated DCP objectives and controls will be highlighted in the subsequent reports to Council and the IHAP, following the completion of the public exhibition period. Comments from Council's Development Assessment planners will also be sought on the Draft DCP whilst on exhibition.

Other Matters - Zoning

While the development of the subject land as part of a neighbourhood centre may be appropriate in this location on Woodville Road, it is noted that the proposed B4 Zone under the Parramatta LEP 2011 zone relates to the support of the City Centre Core (B3 Zone) and the Parramatta City Centre, making it somewhat inconsistent with the objectives of this planning proposal. This is a matter that would not, in principle, affect the Draft DCP and will be addressed after the Draft DCP and Planning Proposal have been publicly exhibited post-Gateway.

Conclusion:

All conditions of the Gateway Determination required to be addressed prior to post-Gateway public exhibition have now been addressed.

The Draft DCP for the Woodville Road Neighbourhood Centre (including the former John Cootes "key site") has been revised in response to the recent recommendation of the Cumberland IHAP.

Council endorsement is now sought to place both the Draft DCP and planning proposal (244 -264 Woodville Road, 2-12 and 14-16 Lansdowne Street and 19 Highland Street, Merrylands on public exhibition (post-Gateway) to address the conditions of the Gateway Determination. Relevant supporting information will also be included in the exhibition documentation. It is recommended that this planning proposed and Draft DCP be commence on 10 January until 7 February (29 days) to avoid the Christmas/New Year Holiday period.

Following completion of the public exhibition, a further report will be provided to the Cumberland IHAP and Council.

Consultation:

The report seeks a resolution from Council to place the Planning Proposal and Draft DCP on public exhibition. This exhibition would be the statutory, post-Gateway exhibition of the planning proposal and draft DCP. Following exhibition, this matter would be reported back to Council (and the Cumberland IHAP), outlining any issues raised during the consultation, any proposed changes to the draft DCP, for consideration, prior to the planning proposal and draft DCP being finalised.

Financial Implications:

The only financial implications for Council are the minimal, standard costs associated with advertising the exhibition period, including individual notification letters.

Policy Implications:

There are policy implications associated with subsequent stages of this planning proposal, including a potential amendment to the Parramatta Development Control Plan (DCP) and the Parramatta Local Environmental Plan (LEP) 201, subject to a resolution of Council following completion of the public exhibition period.

Communication / Publications:

Notification of the post-Gateway exhibition of the planning proposal and the draft DCP will be undertaken as usual, and will include full details on Council's website, notification letters, hard copies on display in Council's two administration centres, plus key libraries, as well as ads in the relevant newspapers.

Supplementary Attachments available on website:

[Link to Cumberland IHAP Report - Item C044-17 - November 2017.](#)

Attachments:

1. Gateway Determination
2. Planning Proposal (including Zoning Extract) PLEP 2011
3. Final Draft Woodville Road Neighbourhood Centre DCP - Dec 2017
4. Cumberland IHAP Minutes - November 2017