

## **1. STRUCTURE PLAN**

- 1) Council's Employment Lands Strategy (July 2016) identifies the Melrose Park precinct as suitable for redevelopment for non-industrial uses and requires a Structure Plan be prepared for the precinct to help guide future development. This is due to the decline in the pharmaceutical manufacturing industry of which until recently, had a significant presence in the precinct. As a result of these buildings not being deemed suitable for conversion to other uses, it was considered that this industrial precinct had come to the end of its functional life and would be better suited to other non-industrial land uses. A structure plan was required to be prepared prior to any planning proposals being able to progress in the precinct.
- 2) In late 2016, the two major landowners within the southern precinct, Holdmark and Goodman, collaborated to prepare a draft Structure Plan for the southern precinct on behalf of other smaller landowners within the precinct. This was refined over the course of 2017 and 2018 to produce a plan that Council officers and landowners supported.
- 3) The draft Southern Structure Plan was considered by Council on 24 June 2019 when it was endorsed to be placed on public exhibition.
- 4) The public exhibition took place from 14 August to 10 September 2019. A total of twenty-three (23) submissions were received from both residents and Government Agencies.
- 5) A report on the post-exhibition outcomes was considered by Council on 16 December 2019. The report recommended a number of amendments to the exhibited structure plan in response to submissions and required further analysis to be undertaken by Council officers.
- 6) The Southern Structure Plan breaks the southern precinct into development blocks, with each block assigned a maximum density. The structure plan also included an indicative built form layout for the precinct, which is to be used as a guide for proponents when preparing planning proposals. The densities (building heights, floor space ratios and gross floor areas) assigned to each block are fixed, and planning proposals must be consistent with the parameters assigned to each block. Any proposed variation must be justified and supported by Council officers.
- 7) The Southern Structure Plan was ultimately adopted by Council on 16 December 2019. Refer to **Figures 1 and 2**.
- 8) The Northern Structure Plan was subject to a separate process and was adopted by Council on 12 December 2016.

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**Figure 1.** Adopted Southern Structure Plan indicative built form

	Site Area	GFA	FSR	Max Height (m)
<b>LOT S1 (TBC)</b>	<b>12608</b>	<b>12608</b>	<b>1.0</b>	<b>12</b>
LOT S2	4178	11643	2.8	20
LOT S4	4186	8812	2.1	20
LOT S3	8074	18533	2.3	20
LOT S5	7948	30465	3.8	58
LOT S16	11093	43355	3.9	58
LOT S6	5128	14991	2.9	26
LOT S8	10458	26515	2.5	26
LOT S7	4754	15600	3.3	58
LOT S9	6380	16656	2.6	58
LOT S10	9539	45436	4.8	63
LOT S12	9508	32241	3.4	64
LOT S13	7328	16429	2.2	26
LOT S14	6217	22135	3.6	26
LOT S15	6763	12230	1.8	26
Overall Net FSR	<b>114160</b>	<b>327649</b>	<b>2.9 :1</b>	
Mixed Precinct	24390	33064	1.36 :1	
Site Area (Holdmark West)	51607	92353	1.79 :1	
Site Area (George Weston)	22823	41506	1.82 :1	
Site Area (Powerlines)	16472	32256	1.96 :1	
Site Area (Goodman)	25593	45436	1.78 :1	
Site Area (Holdmark East)	42694	70805	1.66 :1	
Site Area (Hope St sites)	6740	12230	1.81 :1	
Total	<b>190319</b>	<b>327649</b>	<b>1.72 :1</b>	

**Figure 2.** Adopted density table for the southern precinct

**2. HOLDMARK PLANNING PROPOSAL: 112 WHARF ROAD, 30 & 32 WARATAH STREET AND 82 HUGHES AVENUE, MELROSE PARK**

**2.1 Background**

1. With the Structure Plan having been adopted, planning proposals were able to be progressed in the precinct. Two draft Planning Proposals had already been submitted to Council in 2016 prior to the structure plan being finalised and these were placed on hold while the structure plan process was being undertaken. Only one of these planning proposals has subsequently progressed, that being for the sites owned by Holdmark.
2. A revised Planning Proposal consistent with the adopted Structure Plan was submitted to Council on 20 May 2020 and considered by the Local Planning Panel (LPP) on 29 September 2020. The LPP recommended it proceed to Council for consideration to forward to the (then) Department of Planning, Industry and Environment (DPIE) for Gateway determination (i.e., to place on public exhibition).
3. At its meeting of 9 November 2021, Council resolved to proceed with a Planning Proposal, known as the Holdmark Planning Proposal, that applies to land at 112 Wharf Road and 30 & 32 Waratah Street, Melrose Park and 82 Hughes Avenue, Ermington and that it be forwarded to the (then) Department of Planning, Industry and Environment (DPIE) for approval to place on public exhibition (known as a Gateway determination).
4. At this meeting, Council also resolved to endorse the preparation of a site-specific DCP for Melrose Park South and commence negotiations with the proponent relating to the Planning Agreement to assist with funding and delivering the required infrastructure to support the incoming population. The draft site-specific DCP and Planning Agreement are addressed in detail later in this report.
5. The Planning Proposal endorsed by Council in November 2020 and submitted to the (then) DPIE reflects the maximum floor space ratio (FSR) and height of buildings provisions identified for these sites in the Melrose Park Southern Structure Plan (refer to **Attachment 5**) that was adopted by Council on 16 December 2019.
6. A Gateway determination was issued on 17 August 2021 to enable the Proposal to proceed to public exhibition, subject to conditions. These conditions related primarily to the correction of minor inconsistencies contained within the Proposal. The Gateway determination stipulates the timeframe for finalisation, being 31 August 2022.
7. Since this time, Council officers and the proponent have progressed the drafting of the Site-Specific DCP applicable to the two Holdmark-owned sites in the southern precinct (refer to **Attachment 2**). This document will be progressively amended as additional sites within the southern precinct are redeveloped.
8. Council officers also commenced negotiations for the Planning Agreement during this time and this resulted in a Letter of Offer being submitted by the proponent on 8 March 2021 with a value of \$37,246,825. Refer to **Attachment 3**.
9. The Planning Proposal seeks to amend Parramatta LEP 2011 to enable redevelopment for high density residential, public open space and some small-scale retail/commercial uses. The Planning Proposal applies to two separate sites within the southern precinct, both of which are owned by Holdmark. A summary of the proposed changes to the planning controls is provided in **Table 1** below.
10. The Planning Proposal also seeks to introduce Design Excellence provisions into the LEP for buildings 55m and above in height on these sites. No FSR or height bonuses are to be awarded for buildings subject to Design Excellence. This is due to the density in the precinct already being considered to be at the upper level of

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acceptability and a further increase in the form of building height and FSR bonuses would result in an unacceptable density and compromise the ability of the redevelopment to achieve the desired design outcome.

11. The Planning Proposal will be exhibited concurrently with the draft Site-Specific DCP and Planning Agreement.

**Table 1.** Summary of current and proposed controls on the subject sites

	<b>EAST SITE</b>			<b>WEST SITE</b>
	<b>112 Wharf Road</b>	<b>30 Waratah Street</b>	<b>32 Waratah Street</b>	<b>82 Hughes Avenue</b>
<b>Current Zone</b>	IN1 General Industrial			
<b>Proposed Zone</b>	Part R4 High Density Residential, part RE1 Public Recreation	RE1 Public Recreation	Part R4 High Density Residential, part RE1 Public Recreation	Part R4 High Density Residential, part RE1 Public Recreation
<b>Current FSR</b>	1:1			1:1
<b>Proposed FSR</b>	1.66:1			1.79:1
<b>Current height limit</b>	12m			12m
<b>Proposed building heights</b>	Ranging between 4 storeys (16m) and 22 storeys (77m)			
<b>Potential dwelling yield per site</b>	835 units			1,090 units
<b>Total potential dwelling yield</b>	1,925 units			
<b>Non-residential floor space component</b>	500m <sup>2</sup>			500m <sup>2</sup>

### 3. DRAFT DEVELOPMENT CONTROL PLAN

12. A key consideration when drafting the DCP controls was to ensure that the best possible amenity in the precinct could be achieved for the future residents, visitors, and existing neighbours in the surrounding low density residential areas. The aim is to create a suburb that is characterised by the best built form to accommodate the proposed dwelling densities, generous and diverse streets and attractive public domain and recreation spaces. The draft DCP seeks to organise buildings and density to address and define the streets, pedestrian connections, courtyards, and public spaces.
13. The draft DCP will also facilitate sustainable and resilient buildings that address climate, location, energy consumption, urban heat, pedestrian scale and internal amenity. In addition, the draft DCP will ensure minimal impact on the natural environment including the sensitive mangrove vegetation along the river foreshore.

#### 3.1. Design Requirements

The detailed design requirements outlined in the Council report are grouped to five (5) main parts, being:

- I. Introduction
- II. Built Form
- III. Public Domain
- IV. Vehicular Access, Parking and Servicing
- V. Sustainability

These parts contain multiple sub-sections that include detailed controls, such as:

- General objectives and principles
- Allocation of gross floor area (building envelopes)
- Setbacks
- Street and block layout
- Tower design
- Ground floor frontage
- Solar access
- Dwelling mix
- Desired future character
- Open space
- Parking requirements
- Stormwater management

A key consideration when drafting the DCP controls was to ensure that the best possible amenity in the precinct could be achieved for the future residents, visitors, and existing neighbours in the surrounding low density residential areas. The draft DCP underpins and relates to the site configurations and building envelopes identified in the Southern Structure Plan and the Planning Proposal that have been prepared to achieve the FSRs and building heights adopted by Council for these sites and the broader southern precinct. Minor changes to the building configurations have occurred to the scheme since the Planning Proposal was endorsed. The current scheme is shown in **Figure 3** below.



**Figure 3.** Proposed schemes for the East and West sites

### 3.2. DCP Master Plans and Appendices

14. The draft DCP includes a master plan for each site and identifies the preferred building envelopes and street locations to achieve the supported amenity and FSRs and heights. The maximum residential GFA for each site is also identified to ensure density is controlled and appropriately distributed.

15. In addition to the written controls, the draft DCP contains a number of appendices that support the written controls and address the following elements:
  - Height Distribution Map
  - Solar Access Plan
  - Building Setback Map
  - Public Open Space Plan
  - Street Hierarchy
  - Public Domain Plan
  - Stormwater Management Control Plan
16. A clear street scheme and hierarchy has also been developed to ensure views to the sky and river are provided and that an appropriate interface and integration with Parramatta Light Rail (PLR) Stage 2 is achieved.

### **3.3. Key Elements**

17. The streets are organised to optimise connectivity for both pedestrians and vehicles including PLR, minimise the perception of density, enable planting of trees with large canopies, and to support the built form.
18. The street widths have been carefully considered and the hierarchy consists of varying widths ranging from 9.3m to 25m throughout the southern precinct based on their intended purpose. The streets are wider than would typically be required by Council in some locations to ensure that each street can accommodate the required parking, tree planting cycleways and footpaths.
19. Wider streets also help to reduce the perception of density, which is critical in the precinct given the proposed heights. A number of the north-south streets in the south are a continuation from the streets in the northern precinct and have therefore been allocated identical widths for the purposes of consistency, safety and design integrity.
20. The buildings are organised to define the streets and open spaces, provide deep soil zones for large trees, and create a legible public domain with high amenity.
21. Controls relating to wintergardens are included within section 1.16 of the draft DCP, which proposes to permit them only above the eighth storeys of buildings, with requirements relating to their design and functionality in an effort to reduce the chance of conversion to fully enclosed and habitable rooms. This will also reduce the risk of buildings having a commercial appearance and is consistent with the approach taken in the northern precinct.
22. Sections relating to the desired design outcome for the precinct are included in the attached draft DCP, and these controls will largely apply to the remainder of the southern precinct as these sites redevelop.
23. The majority of the proposed building on the subject sites comprise of 4, 6 and 8 storeys, with the lower heights situated on the perimeter of the sites to provide an appropriate interface to the existing low-density development surrounding the precinct.
24. It is proposed to permit up to three towers across the two sites in specific locations. One 22 storey (approximately 77m) tower is proposed on the inner part of the East site adjacent to the proposed new public open space area near the foreshore and identified PLR2 corridor along Waratah Street. Two towers are identified on the West site, with one tower proposed at 20 storeys (approximately 70m) and the other at 22 storeys. Both towers are located on the inner part of the site. The locations of these towers have been



carefully chosen to minimise the potential impact on other buildings and open space within the precinct and existing low density residential development adjacent to the precinct. The building heights are ultimately dictated by those heights mapped in metres within the PLEP 2011. However, **Figure 4** below shows the heights in storeys as included in the draft DCP.

25. As with the northern precinct, the building envelopes (GFA) have been calculated using Council's standard formula which applies a 75% efficiency rate. This essentially means that the development lots can achieve the assigned GFA and that an additional 25% of floor area is available for the purposes of enabling building articulation without compromising the overall bulk and scale set by the FSR. Although some flexibility (25%) is incorporated into the GFAs shown in the draft DCP to enable building articulation and other design features, ultimately, all future development on these sites must comply with the provisions including the FSR within the LEP. This approach is applied to all urban design modelling within the Parramatta LGA, including the northern precinct of Melrose Park. A map showing the distribution of GFA across the two sites is included in the draft DCP.



**Figure 4.** Proposed building heights on the subject sites

## **4. PLANNING PROPOSAL**

### **4.1 Gateway Conditions and other changes**

- 1) The Gateway determination issued by the (now) DPE on 17 August 2020 included a number of conditions that are required to be addressed either prior to exhibition or prior to finalisation. Below is a summary of the nine (9) conditions that are required to be resolved prior to public exhibition of the draft Planning Proposal and how they have been addressed.
- 2) The indicative development scheme on both sites has also been updated to reflect refinements undertaken subsequent to the issuing of the Gateway determination. As a result, the LEP height map has been updated to reflect the revised scheme. The post-Gateway changes that have been made to the Planning Proposal are considered minor in nature and have been done to ensure that a more desirable design outcome can be achieved on the sites by redistributing the various building heights within the sites. These changes ensure a better interface between the surrounding low density residential development is achieved and overshadowing of the public open space and sensitive mangrove vegetation along the river is minimised. The changes also ensure that the composition of the buildings is appropriate from a design perspective and are consistent with Council's requirements. The maximum height limit of 77m as endorsed by Council on 9 November 2020 has not changed, and the revised schemes remove the previously proposed 12 storey buildings and replaces them with 8 storeys. An updated Planning Proposal is provided at **Attachment 5**.

<b>PRE-EXHIBITION</b>	
<b>Gateway Condition</b>	<b>Comment</b>
a) correct references to a proposed maximum FSR of 1.79:1 for the West Site	The draft Planning Proposal has been updated to reflect the correct proposed maximum gross FSR of 1.79:1 on the West site. It was incorrectly listed as 1.78:1 in one section of the document.
b) update all maps to identify the planning proposal's boundary	All maps have been updated to show clear site boundaries.
c) update the planning proposal with built form modelling including a 3D visualisation of the proposed development concept, its surrounding built form context and overshadowing analysis	Snapshots of the built form modelling have been included in the draft Planning Proposal. These will also be available online during the public exhibition.
d) consider a suitable planning mechanism to encourage work from home opportunities within future building design	DPE has advised that a DCP control to this effect is sufficient. A new control C.11 has been inserted into Section 2.13 <i>Residential Apartment Design Quality</i> to address this requirement.
e) ensure that an infrastructure needs list is identified in the planning proposal, including the identified traffic and transport infrastructure to support the proposed growth	The Infrastructure Needs List (INL) has been included in the draft Planning Proposal as Appendix 8.
f) delete the requirement for a satisfactory arrangements provision for contributions toward designated state public infrastructure	Deleted.
g) identify in the planning proposal that a mechanism to secure State and local infrastructure to support the intended growth is required	Statement now included in the draft Planning Proposal.
h) ensure that the planning proposal is exhibited with the Transport Management Accessibility Plan (TMAP)	Noted. The TMAP will be publicly available during the public exhibition.



i) update the project timeline to reflect the requirements of the Gateway determination	Project timeline has been updated to reflect the Gateway determination's target date for finalisation, being 31 August 2022. The specified target date for commencing public exhibition is no longer applicable.
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## **5. OTHER MATTERS AND INFORMATION**

### **5.1. The TMAP**

- 1) The density that can be achieved within the overall precinct has been informed by the Transport Management and Accessibility Plan (TMAP) that was prepared for the precinct in 2019 in conjunction with extensive urban design testing. The preparation of the TMAP was a condition of the Gateway determination for the Melrose Park North Planning Proposal (currently with the State Government for finalisation). It was prepared in close consultation with Council officers, proponent representatives from the northern and southern precincts, the (then) DPIE, Roads and Maritime Services (RMS) and Transport for NSW (TfNSW). Other agencies and branches were also involved at various stages, including Parramatta Light Rail (PLR) and the Department of Education (DoE). The TMAP was required to gain TfNSW approval before being placed on exhibition. It was first publicly exhibited with the Melrose Park North Planning Proposal and is required to be exhibited with all planning proposals in the precinct going forward.
- 2) The TMAP is a comprehensive traffic study that analyses existing road, parking, traffic and public transport arrangements and services. It identifies the current network capacity and makes recommendations as to the improvements / works that are required to be undertaken to support the proposed growth. The TMAP includes a staging plan that identifies the improvements or new infrastructure required at each stage of redevelopment to support the precinct as the population increases. The staging plan identifies two key development scenarios that are critical to the precinct depending on whether a bridge to Wentworth Point is provided.
  - a. It identifies that the precinct can support up to 11,000 dwellings in total (north and south) from a traffic perspective providing a bridge connecting Melrose Park to Wentworth Point is provided (and PLR Stage 2 or an equivalent bus service is operational).
  - b. Without the bridge, the dwelling yield in the precinct is capped at 6,700 dwellings (north and south) and a reduction in the overall FSRs applied to the precinct can be delivered across the entire precinct without the need for the bridge (providing the other identified road works and improvements are undertaken).
- 3) At present, it is anticipated the bridge will be delivered as part of PLR Stage 2. Each landowner is required to make a monetary contribution towards the funding and delivery of the bridge (and other identified State infrastructure). This is currently being negotiated between the State Government and proponents in the precinct and will be implemented via a State Planning Agreement. This is a separate process to the local Planning Agreement between Council and Holdmark that is subject to this report and Council is not involved in these negotiations.

### **5.2. Density Control**

- 1) The proposed density in the precinct is at its upper limit and assumes the bridge to Wentworth Point will be delivered, and Council officers have raised concerns previously about the possibility of the density increasing over time as the precinct redevelops at various stages. As with the northern precinct, the building envelopes (GFA) have been calculated using Council's standard formula which applies a 75% efficiency rate. This

essentially means that the development lots can achieve the assigned GFA and that an additional 25% of floor area is available for the purposes of enabling building articulation without compromising the overall bulk and scale set by the FSR. This approach is applied to all urban design modelling within the Parramatta LGA, including the northern precinct of Melrose Park.

- 2) To reduce this risk, the maximum allowed gross floor area (GFA) for each development lot has been mapped and included in the respective DCP (refer to **Figure 2** of the draft Melrose Park South DCP for the Holdmark sites) and an overall GFA cap applied to the northern and southern precincts. The DCP and GFA maps will be updated to include additional lots as the respective sites redevelop. The GFAs, maximum heights and FSRs for each development lot in the south are also contained within the adopted Southern Structure Plan.
- 3) Although applicants can apply to vary these maximums at the development application stage (known as a clause 4.6 variation), it is merit-based, and they need to provide significant and robust justification to gain the support of Council officers.
- 4) Council officers are currently working with the planning and legal officers at the Department of Planning and Environment (DPE) to draft appropriate LEP provisions that will ensure the number of dwellings in the precinct cannot exceed the level of infrastructure provided and secured to support the population. These provisions will be included in the LEP amendment applicable to the northern precinct (currently being finalised) and eventually the LEP amendment applicable to the southern precinct.
- 5) The provision of the bridge is linked to the ability of the precinct to realise its full density potential. Should the bridge not be provided, the maximum yield that the whole of the Melrose Park precinct can achieve will be reduced by approximately 40% from 11,000 dwellings to 6,700 dwellings.

### **5.3. Schools and State Infrastructure**

- 1) Council officers have been working closely with the Department of Education (DoE) and Schools Infrastructure NSW (SINSW) regarding the requirements and delivery of education facilities to support the precinct. The DoE identified that to support the anticipated population growth, a new primary school and a new secondary school are required, in addition to the existing Melrose Park Public School that is already located in the southern precinct. As a result, a new school site has been dedicated in the northern precinct on the corner of Wharf Road and Hope Street to provide for a new primary school. The site will also include a full-sized playing field that will be available for community use outside of school hours.
- 2) In relation to the provision of a secondary school, Council officers have made representation to DoE and SINSW on multiple occasions raising concern over the closure of nearby Marsden High School. This school is within the Ryde LGA and is approximately a 20-minute walk from the southern precinct and would have assisted in providing students places for the incoming residents of the Melrose Park precinct.
- 3) Council officers remain in consultation with DoE and SINSW and options are continuing to be explored regarding the provision of a new high school or K-12 school within or adjacent to the precinct. Officers are seeking to gain a level of certainty and commitment from DoE and SINSW regarding the provision of a secondary school prior to finalisation of the Holdmark Planning Proposal.
- 4) The provision and delivery of State infrastructure is taking a similar approach to that of local infrastructure. The contribution towards State infrastructure will be calculated by the State Government on a per-dwelling basis proportionate to the dwelling yield being sought by the proponents on their respective sites. State

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infrastructure contributions will be delivered as part of separate planning agreements with the State Government that will be subject to a separate public exhibition process facilitated by the State Government. Council officers will prepare a submission for Council's endorsement as part of that exhibition process. The applicable per-dwelling amount is in the process of being finalised directly between the State Government and the proponents and is not a matter within Council's control.