

Item No: C07/24-546

4-4A TERMINAL PLACE AND 5 & 7 MCLEOD ROAD, MERRYLANDS - VOLUNTARY PLANNING AGREEMENT

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Enhancing the Natural and Built Environment*

SUMMARY

The subject site at 4-4A Terminal Place and 5 and 7 McLeod Road, Merrylands, benefits from the development consents DA2022/0722 and DA2022/0776.

At the Council meeting of 7 February 2024, Council provided in-principle endorsement of the letter of offer for subject site under DA2022/0722 and DA2022/0776 regarding the dedication of land for the purpose of open space and local roads, and associated works (as required by Council) as offsets of local infrastructure contributions. This endorsement was considered in the assessment and determination of the applications, with a condition of consent included for a Voluntary Planning Agreement to be prepared to cover this matter.

Following Council's resolution and determination of the development applications, a draft Voluntary Planning Agreement has been prepared for consideration by Council. It is recommended that Council endorses the draft Voluntary Planning Agreement, and that the draft agreement be placed on public exhibition for a period of 28 days in accordance with legislative and policy requirements. It is also recommended that Council endorse the finalisation of the Voluntary Planning Agreement and delegate the General Manager to finalise and execute the Voluntary Planning Agreement, subject to no significant objections arising from public exhibition.

RECOMMENDATION

That Council:

- 1. Endorse the draft Voluntary Planning Agreement prepared for 4 - 4A Terminal Place and 5 and 7 McLeod Road, Merrylands, and that the draft agreement be publicly exhibited for a period of 28 days in accordance with legislative and policy requirements; and**
- 2. Delegate authority to the General Manager to finalise and execute the Voluntary Planning Agreement on behalf of Council for 4 - 4A Terminal Place and 5 and 7 McLeod Road, Merrylands, subject to no significant objections on the draft agreement arising from public exhibition.**

REPORT

The following Development Applications form part of the Gladstone Village development in Merrylands, and also shown in Figure 1:



Figure 1: Gladstone Village Development, Merrylands

1. Development Application DA2022/0722 at 2 Neil Street, Merrylands (Now known as 7 McLeod Street, Merrylands)

This is considered as 'Stage 2' and 'Site 1' of works as part of the Merrylands Masterplan of the Gladstone Village (shown within the blue boundary in Figure 1). This includes the construction of a 21 storey mixed-use development comprising 4 commercial tenancies and 236 residential units over 5 levels of basement parking. The DA was approved by the Panel on 26 March 2024 (PPSSCC-414).

2. Development Application DA2022/0776 at 2 Neil Street, Merrylands and 4 & 4A Merrylands (Now known as 5 and 7 McLeod Street, and 4-4A Terminal Place, Merrylands)

This is considered as 'Stage 3' and 'Site 2' of works proposed to be completed as part of the Merrylands Masterplan of the Gladstone Village (shown within the red boundary in Figure 1). This includes the construction of 3 buildings ranging in height from 12 to 17 storeys and comprising of 6 neighbourhood shops and 303 residential units over six 6 levels of basement parking. The DA was approved by the Panel on 13 June 2024 (PPSSCC-424).

3. Development Application DA2023/0485 (Public domain and civil works and including open space areas, public art, water feature and associated landscaping)

The DA is currently being assessed and seeks to undertake proposed public domain upgrades and the embellishment of the proposed parks for Terminal Place, Neil Street and Boulevardde.

At the Council meeting of 7 February 2024, Council provided in-principle endorsement of the letter of offer for subject site under DA2022/0722 and DA2022/0776 regarding the dedication of land for the purpose of open space and local roads, and associated works (as required by Council) as offsets of local infrastructure contributions. This endorsement was considered in the assessment and determination of the applications, with a condition of consent included for a Voluntary Planning Agreement to be prepared to cover this matter.

Following Council's resolution and determination of the development applications, a draft Voluntary Planning Agreement has been prepared for consideration by Council. The draft Agreement includes the public benefit offer previously endorsed by Council, and is consistent with the Cumberland Planning Agreements Policy and Guideline.

It is recommended that Council endorses the draft Voluntary Planning Agreement, and that the draft agreement be placed on public exhibition for a period of 28 days in accordance with legislative and policy requirements. It is also recommended that Council endorse the finalisation of the Voluntary Planning Agreement and delegate the General Manager to finalise and execute the Voluntary Planning Agreement, subject to no significant objections arising from public exhibition.

COMMUNITY ENGAGEMENT

Subject to endorsement, the draft Voluntary Planning Agreement will be publicly exhibited for a period of 28 days in accordance with legislative and policy requirements.

POLICY IMPLICATIONS

Policy implications are outlined in the main body of this report.

RISK IMPLICATIONS

There are minimal risk implications for Council associated with this report.

FINANCIAL IMPLICATIONS

Financial implications are outlined in the main body of the report.

CONCLUSION

A Voluntary Planning Agreement has been negotiated for 4 - 4A Terminal Place and 5 and 7 McLeod Road, Merrylands, to derive public benefit for the Merrylands Town Centre. It is recommended that Council endorse the draft Voluntary Planning Agreement for public exhibition and to delegate the execution of the document to the General Manager.

ATTACHMENTS

1. Draft Voluntary Planning Agreement
2. Public Benefit Offer Analysis (confidential)
Note: Included in Closed Business Paper in accordance with Section 10A(2)(d)(i) of the Local Government Act as the information involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.