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**Submission to the Parramatta Light Rail Stage 2 SS1 10035 from the Owners of  
29 & 31 Hope St, Melrose Park**

This submission is provided on behalf of the Owner of 31 Hope St, Melrose Park. Our submission is based on the following :

- That we understand and support the concept and intent of the light rail in providing better connectivity to key areas of Western Sydney, however there are a number of fundamentally detrimental factors affecting our Clients property which are not necessary for this to proceed.
- But that there are inconsistencies in the draft document which we suggest should be reviewed and re-worked in order to achieve the best overall solution for all parties. It is these that we address in this submission.

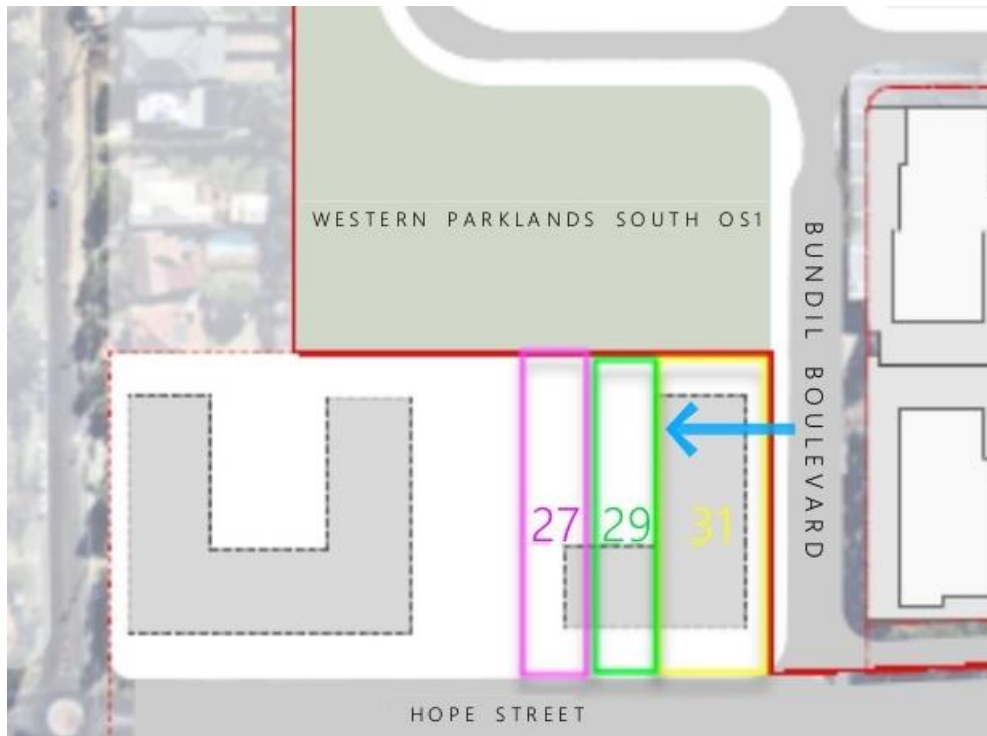
Our issues are :

**R4 ZONING OF LAND TO NORTH OF LIGHT RAIL**

- **Our clients oppose their land being included in the Project Site. Their land together with their neighbours no. 27 and 29 Hope St are submitting a joint Planning Proposal to re-zone to R4. This will be as the adjacent Payce site (77 Hughes Ave + 19 Hope St) which has an endorsed Planning Proposal for this zoning**

In regard to this :

- The owners of 27, 29 & 31 Hope Street are in the process of preparing the necessary documents for submitting a Planning Proposal of the 3 Lots amalgamated together. The existing zoning map shows them to be an intrusion into the residentially zoned land to the north side of the light rail.
- Access to this amalgamated residential R4 site will be provided by the new road to be built BUNDIL BOULEVARD (see diagram following) that has an **80m frontage** to the Eastern Boundary of 31 Hope Street, Melrose Park with additional access can also be provided by TfNSW with a driveway crossing the tracks if necessary along Hope Street, or as is done for many sites in such circumstances access for parking can be arranged thru the adjacent site to the west.



- Key to this also is that when reviewing the latest LEP Planning maps and knowing the site and the area we see the following :
  - The Ultimate Zoning Plan would see all of the IN1 land was on the south side of Hope St.
  - The north side residential R4 land would be the Payce sites (already endorsed for rezoning) and our Client's site and their 2 immediate north side neighbours which are no.s 27 and 29. The Payce Planning Proposal (land adjacent to our clients site to the west) is with the Department of Planning which has been endorsed by Council for their sites to be R4 zoned.
- The new R4 zone would ensure no amenity impacts from the interface of IN1 land into the R4 land which the Central Sydney Planning Committee are strongly against. They do not, as a rule, permit IN1 and R4 zoned land to be adjacent to each other, their separation by the light rail is the obvious result.
- The current Land Zoning Maps from the Parramatta LEP (maps 17 and 18) which follow show the intrusion of the IN1 industrial land:

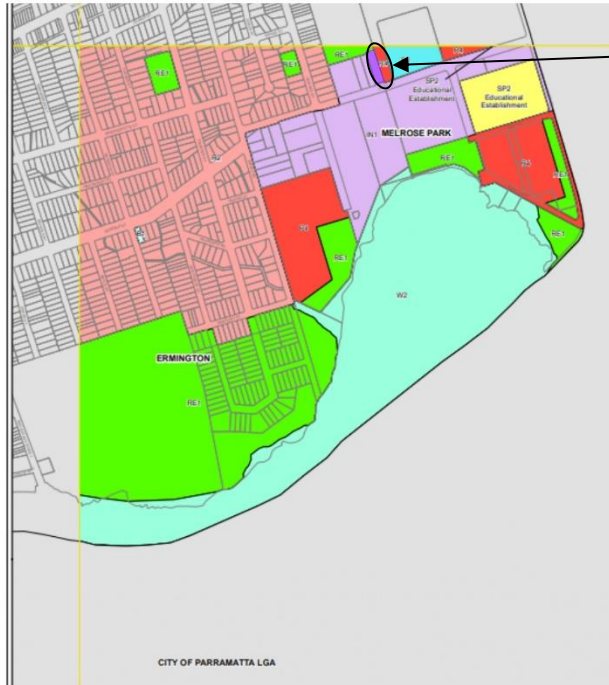


**Parramatta Local Environmental Plan 2011**

Land Zoning Map - Sheet LZN\_018

**Zone**

B1	Neighbourhood Centre
B2	Local Centre
B3	Commercial Core
B4	Mixed Use
B5	Business Development
B6	Enterprise Corridor
C2	Environmental Conservation
C3	Environmental Management
IN1	General Industrial
IN2	Light Industrial
IN3	Heavy Industrial
R1	General Residential
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RE1	Public Recreation
RE2	Private Recreation
SP1	Special Activities
SP2	Infrastructure
W1	Natural Waterways
W2	Recreational Waterways



31 Hope St

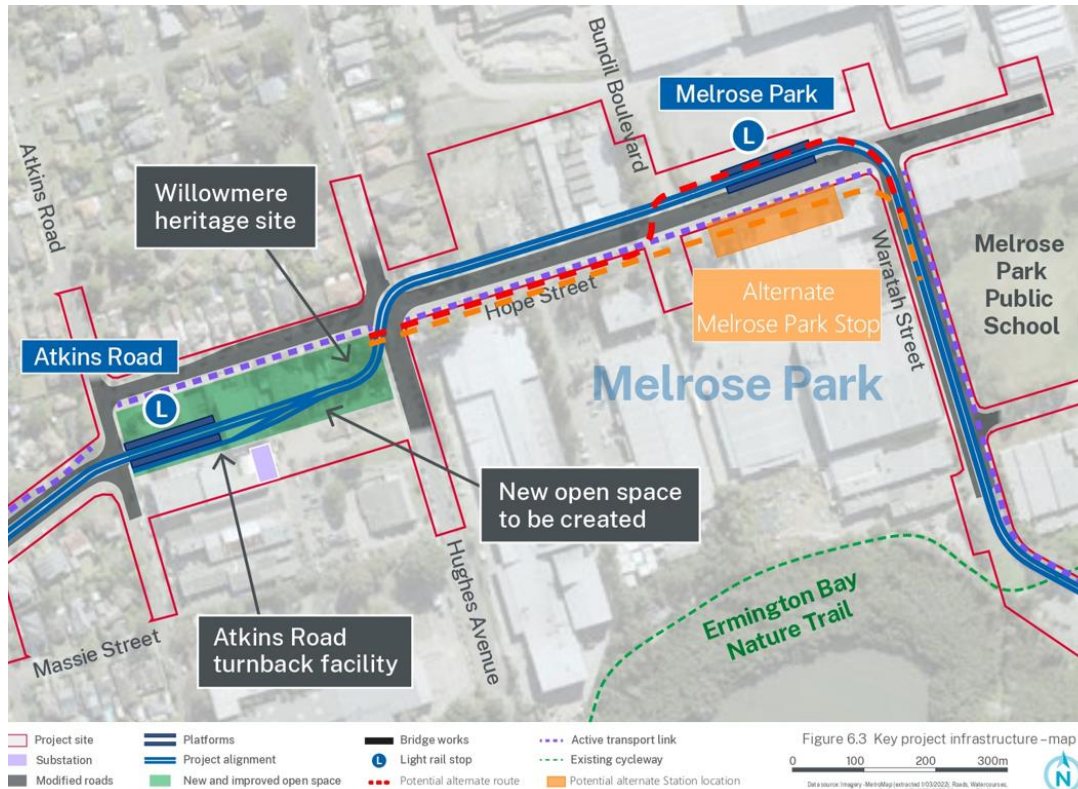


## VARIATION OF RAIL ROUTE

- It is submitted the proper and best functioning of the Melrose Park North and South precincts will be achieved by either of two other options for the route of the Light Rail along Hope St. These will result in better overall planning and redevelopment of the area.

- Currently as per *Technical Paper 1 Design, Place and Movement*, chapter 9.0 : Melrose Park, Fig 9.4.2 Hope St, it is proposed that the Light Rail to cross Hope Street twice. This being to the northern side of Hope Street at Hughes Avenue after the Atkins Road stop and then it crosses south back over Hope Street to go to Waratah Street. (refer to Fig 6.3 map 3 & Tech Paper 9.4.2 Hope Street)
- To do this the report states that it needs to encroach in the order of 12m into some 300m of frontage to 7 properties on the north side of Hope Street being properties 77 Hughes Avenue and 19, 27, 29, 31 Hope Street.

- From a Planning and Urban Design point of view it would be far more preferable for :
  - all of the IN1 land to be on the south side of Hope St
  - and all of the R4 land be consolidated on the north site of Hope St
  - so there is no interface and amenity issues of having IN1 land adjacent to R4 land ~ which is a key objective of the Central Sydney Planning Committee for all areas of Sydney
  
- This can be achieved if the light rail route continues in a straight line from the Atkins Road Stop from which it then crosses Hughes St from which it can either :
  - Continue on the southern side of Hope Street before crossing to the north side at the New Road Bundil Boulevard to service the proposed town centre at 33 Hope Street, before returning south again onto Waratah Street
    - *This is shown as the red dotted lines on the diagram on the following page*
    - With this there would only be 2 properties affected being 2 and 4 Hope Street, which would enable the light rail to service the town centre of 33 Hope Street and our Clients and the adjacent properties would not be effected.
    - with this there would be many advantages to the operation and functioning of the area.
  
  - Or follow an alternate route fully on the southern side of Hope Street. This would include the Melrose Park Stop.
    - *This is shown as the orange dotted lines on the diagram on the following page*
    - This would take away the amenity conflict of having the light rail adjacent the R4 land. Residences would enjoy the moved amenity.
    - This also would have the advantage that the route would NOT have to cross the “Sydney Water Trunk Mains” which is identified in the report as a problem with this layout
  
    - As the light rail is designed and intended to connect to both the north and south precincts, there would be no disadvantage, and having to cross Hope St to come to the Town Centre would be preferable. Advantages it brings for ALL properties are apparent. This also takes into consideration the R4 Planning Proposal referred to above.



- We note that the above also impacts the statement in Chapter 5 under Design &
- Development, Alternatives and Options,
  - There is not yet surety regarding the works that may be required to this area, Chapter 5.4.5 Melrose Park would be more complete if it provided design alternatives for the Northern Track alignment along Hope Street where it affects our properties, such as the options provided above for the Track alignment to run more and fully on the southern side of Hope Street.

## RESUMPTION OF NO. 31

- **A key aspect of the proposal uncertainty is whether 31 Hope St will be taken by the Government as suggested in the reports and in the issues of the Sydney Water Truck Mains**
  - Our client strongly opposes any resumption of his land.
  - From discussions with a representative of TfNSW, our Client understands that the final proposed route and proposed changes to the front alignment adjacent to their site is to facilitate the



Light Rail route in response to and contingent upon the existing location of the "Trunk Mains" within Hope Street.

- In Chapter 7 Project Description, Sec 7.8.1, the report states :  
*"The approach to managing other sections of the trunk mains, which are located within the project site at Grand Avenue/Thackeray Street, South Street (between John Street and River Road), Boronia Street (between Broadoaks Street and Atkins Road) and Hope Street (between Atkins Road and Waratah Street) would be confirmed during detailed construction planning. It is anticipated that this would involve protection of the existing utility rather than relocation. **subject to condition assessment and further design investigations.** Some sections of pipeline in Melrose Park may need to be upgraded prior to protecting them during construction."*
- Given the note highlighted in bold above, this places uncertainty on whether these mains can be re-located cost effectively and so there is no surety that the proposed alignment is 100% correct.
- So then with this, to define now the required property boundary adjustments and acquisitions for the Light Rail based when this is still "**subject to condition assessment and further design investigations**" as noted in the report is **premature**. Indeed, more conclusive design investigation must be undertaken to answer these issues before the report proposed to take over privately held family land holdings, which because of this may or may not be required for the Light Rail.

• **The required resolution of these uncertainties before the finalised plan is issued is also supported within the report itself :**

- Chapter 13 : LAND USE & PROPERTY under Melrose Park in section 13.1.3 talks about how potential impacts have been avoided or minimised :

*The approach to design development included a focus on avoiding and/or minimising the potential for impacts during key phases of the design process. As described in Chapter 5 (Design development, alternatives and options) a project corridor and alignment options assessment process was undertaken to identify the preferred alignment. This process considered a range of factors, including existing and future land use, and potential impacts on properties.*

*The project location and design has been, and would continue to be, refined to **minimise land use and property impacts** and enhance potential benefits as far as practicable, including:*

- *maximising the use of existing transport corridors*
- *modifying the alignment where an alternative route, which met the project objectives with lower potential for impacts, is available*
- *refining the design to **reduce potential land requirements and associated need for property acquisition***
- *locating the alignment and proposed stops to take into account existing and future land use and urban renewal opportunities along the proposed route, and integrating the design (as far as practicable) with future development opportunities and planning for urban renewal areas (see Technical Paper 1 (Design, Place and Movement)).*

- **31 Hope St is included in the bounds of the "Project Site" with no clear reason for this. The report indicates that some of the key issues to make this work have not yet been resolved and finalised, which means that this may not be necessary nor the best solution or the solution that will be proceeded with.**

- This site is an important family asset, our Client seeks to uphold their right to retain ownership of it and long term financial and usage rights.
- Indeed in Chapter 6 : Project description under 6.9.2 Residual Land, the report describes the "residual land" as surplus land to the operational requirements of the project for the purpose of the EIS. This section clearly identifies the intent of the whole of our properties being included rather than the limited boundary adjustment that may be required.
- So being the uncertainty outlined in the report in regard to the required works, we submit that it is too early to say that the whole of this land needs to be acquired let alone part of it.
- The report stated that the "Key Stakeholder" will be consulted in relation to the re use and rezoning and potentially re purchasing of "residual Land" that is NOT required by TfNSW. This is not required as noted previously our Clients and neighbours are submitting a Planning Proposal for their land. They do not wish to give up their land to another Developer. There is a history of "over resumption" with later packaging and resale for 'unnecessary' land. This is wrong and not an appropriate use of government resumption powers.
- If the whole or any of our Clients land is ultimately determined as not required for the Light Rail works they should continue to own it.
- In fact, Section 6.9.2 makes specific reference to our Client's property and the neighbouring properties being 27, 29 & 31 Hope Street, Melrose Park being "residual lands":

*"It is estimated that the residual land would comprise a total of about 17,700 square metres (1.77 hectares) with most of the residual land located:*

- *west of the John Street stop, Rydalmere*
- *in the vicinity of the Atkins Road stop, Melrose Park*
- ***north of Hope Street west of Melrose Park stop, Melrose Park***
- *at the south-east corner of Hope and Waratah streets, Melrose Park."*

- However, further the report notes :

*The final area of residual land would be subject to ongoing design development. This would include **consideration of opportunities to consolidate lots where** practicable to maximise the land available for potential future uses. **Potential future uses of residual land** would be determined by Transport for NSW in consideration of:*

- *surrounding land uses and existing zonings*
- *local and regional strategic planning, including master planning for identified urban renewal areas*
- *consultation with **key stakeholders***
- *the requirements (including any remediation of contaminated land) to make the land suitable for potential future uses.*

*A residual land management plan would be prepared by Transport for NSW which outlines the approach to managing residual land, **including the future use of the land, determined in consultation with key stakeholders** (see section 13.7).*

**Resumption for such unspecified future potential redevelopment is NOT a legal use of resumption powers.**

- Our clients take some solace from table 13.3 which identifies our Client's site and the adjacent two properties as being **Partially Impacted**, but as can be seen the report impacts it considerably.
- In TECHNICAL PAPER 2 : Transport & Traffic is also for all the reasons noted above premature. There are significant issues still yet to finalise :
  - As this paper also clearly states that the 5 properties on the Northern side of Hope Street will be acquired, but then as noted above it states that the future access to these properties will be considered from the "future Developer" by means of a signalised intersection for access over the track alignment.
  - Yet all of this is as stated is referring is including our Clients site where there is no surety on how these sites will be used, including as we have noted are other better



solutions to these sites that have not been listed and discussed in the options for this stretch of the Light Rail route.

- A similar note relevant to the above is included in 6.1.4 Property Access where it notes :
  - five existing properties on the northern side of Hope Street would be acquired. Future access to these properties would be subject to consideration as part of the residual **land management plan**. Clearly all our clients land is not needed.
  - access to the development site on the northern side of Hope Street would be provided by the developer and may require a formal, signalised intersection to provide access across the project alignment.

• **Further to this point, there are errors in the project site boundaries ~ as per Chapter 6, Figure 6.3 Key Project Infrastructure Map 3 and inconsistencies in terms of how the properties along north side of Hope St are dealt with**

- We draw your attention to an inconsistency with the identification of the "Project Site" boundaries as illustrated in the EIS such as in Fig 6.3. for the properties identified as 27, 29 & 31 Hope Street, Melrose Park.
- The above lots are WHOLLY outlined and included as part of the "Project Site", yet the proposed land required seems to vary from 9m to 12m from the frontages only of these lots.
- Also, in regard to this the neighbouring property to the east, it has only had a small area to its Hope St boundary highlighted as part of the "Project Site" albeit it is much closer to the "Melrose Park Stop". We ask that the reasons for this and how these areas are all to be used be made available to our Clients, this being there is no explanation of this inconsistency and it would seem to be that the opposite should be the case ie less area would be required from our Clients property and more from the land to the east.
- So we ask that to be consistent 27, 29 and 31 Hope Street, Melrose Park should have only the frontages of their properties included in the "Project Site" just as the adjacent property to the east ie that it be IDENTICAL TO Lot 200 in DP1265603.
- Again, also as noted previously in this document, the appropriate approach to all of this would be to wait until TfNSW has undertaken the extra work said to be needed to resolve exactly the required boundary adjustments and with this the areas required for the residual land, so that all of this can be confirmed before such adjustments need to take place, being our Client's land is privately owned, and as such is an important source of income for the family.

## **Conclusion**

As demonstrated in this document our Client's site is considerably impacted by the Light Rail proposal. However, as we have shown there are alternatives which would leave the site unaffected and would enable it to be developed with its two neighbours in the same way as the adjacent Payce site, and that these can come with improvements to the layout and functioning of the whole Melrose Park Precinct.

Accordingly we ask that the issues as we have identified be reviewed and our Client requests a meeting to discuss these and their site with both TfNSW and the DPE.

Prepared by PTI Architecture

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on behalf of the Owners of 29 and 31 Hope St Melrose Park