



CUMBERLAND  
COUNCIL

26 June 2018

Our Reference HC-23-12-24  
Contact KAREN HUGHES  
Telephone (02) 8757 9962

Ms Ann-Maree Carruthers  
Director Sydney West Region  
Department of Planning & Environment  
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SYDNEY NSW 2001

via email to:

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Dear Ms Carruthers

**FINALISATION OF HOLROYD LEP 2013 AMENDMENT NO. 17  
(PP\_2016\_HOLRO\_006\_00)**

At its meeting of 18 April 2018 Council resolved to proceed with the finalisation of the LEP amendment for the Merrylands Station and McFarlane Street Precinct, Merrylands. Council has fulfilled its obligations in relation to the Gateway Determinations issued for this proposal (PP\_2016\_HOLRO\_006\_00).

Council now requests that the proposed LEP amendment be made. The following documents are uploaded to the Planning Portal to support this LEP amendment:

- Map Cover Sheet with the LEP maps, and associated GIS data.
- Revised Planning Proposal reflecting the changes required under the Gateway Determination (dated August 2016).
- Gateway Determination of 15 August 2016.
- Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP) report and minutes of 14 February 2018.
- Council report and minutes of 18 April 2018
- Submissions of public authorities (late 2016).
- Attachment 5 Table – Delegated plan making reporting template
- Public Hearing Report dated February 2017.

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- Precinct Shadow Study dated 28 October 2016 (requested by the Department in the lead up to this finalisation – to demonstrate the associated Gateway Condition 1e was met).

Council was not authorised to exercise delegation to make this LEP amendment. When the Department requests Parliamentary Counsel to prepare the draft instrument, Council would like to ensure that Clause 4.4 Floor Space Ratio – Table, as affecting Area A of the FSR map, be amended as per the provision as addressed in the Planning Proposal (page 12). We would also like to note that the Design Excellence provisions are also to be applied to this Precinct, which will require redrafting of the existing clause 6.11 Design Excellence in the Holroyd LEP 2013. We refer to our letter to you of 20 April 2018 on this matter of the Design Excellence clause.

We also wish to note that under Explanation of Provisions within the Planning Proposal, certain land fronting McFarlane Street and land for the expansion of the new proposed Merrylands Square were to be shown for acquisition on the Land Reservation Acquisition (LRA) map. As Council has acquired the majority of these properties, it is considered that they are not required to be reflected on the LRA map. However one small area of land has not yet been acquired by Council for the proposed Merrylands Square and this is shown on the LRA map (marked as Local Open Space RE1). The LRA map also shows the proposed acquisition of the land for the main lane extension (marked as Local Road SP2) as addressed in the Planning Proposal.

Once Parliamentary Counsel has prepared the draft instrument, it is requested that this be provided to Council for review and feedback.

If you have any questions regarding this matter please contact Karen Hughes of Council's Strategic Planning section on (02) 8757 9962.

Yours faithfully



Monica Cologna  
MANAGER STRATEGIC PLANNING