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04 January 2016

Ms Rachel Cumming
Director Metropolitan Delivery (Parramatta)
Growth Planning and Delivery
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Cumming

**SUBMISSION OF PLANNING PROPOSAL FOR 53-73 TOONGABBIE ROAD,
TOONGABBIE**

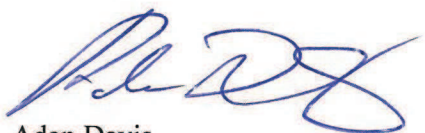
At its meeting on 8 December 2015, Council resolved to proceed with a Planning Proposal to amend the Holroyd Local Environmental Plan (LEP) 2013 for 53-73 Toongabbie Road, Toongabbie. The Planning Proposal seeks to amend the land zoning, maximum height of buildings, floor space ratio and minimum lot size, applicable to the site. This amendment will be Amendment Number 9 of the Holroyd LEP 2013.

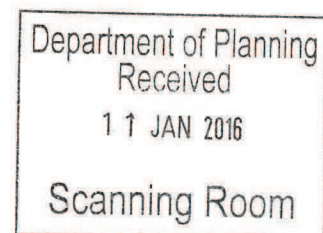
Council wishes to exercise its delegated authority in finalising the LEP amendment.

A copy of the Planning Proposal is enclosed and is submitted to you for Gateway Determination. Should you have any further enquiries regarding this matter, please contact Council's Strategic Planner, Ms Karen Hughes, on (02) 9840 9808.

Yours faithfully

Merv Ismay
GENERAL MANAGER


Per: Adan Davis
MANAGER STRATEGIC PLANNING



PLANNING PROPOSAL

To rezone 53-73 Toongabbie Road,
Toongabbie:

from R2 Low Density Residential
to R4 High Density Residential

December 2015



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1 Introduction

1.1 Summary

This Planning Proposal arose from an application, as a Planning Proposal request, from the proponents being Shalom Home Builders Pty Ltd and Fortune Wings Pty Ltd (the Proponent). The request sought to amend the strategic planning controls affecting the properties at 53-73 Toongabbie Road, Toongabbie (the Site) under Holroyd Local Environmental Plan 2013 (Holroyd LEP 2013) as follows:

- To rezone from R2 Low Density Residential to R4 High Density Residential.
- To increase the maximum building height from 9 metres to 15 metres.
- To increase the floor space ratio (FSR) from 0.5:1 to 1:1.
- To increase the minimum lot size from 450sqm to 900sqm.

The outcome sought, with the amended planning controls, is to enable the future development of the site for Residential flat buildings.

This Planning Proposal, and the accompanying Proponent's Planning Proposal application (Appendix A), have been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and relevant Department of Planning & Environment Guidelines.

1.2 The Development Concept

The Planning Proposal request nominated a development concept for the Site consisting of four (4) or five (5) residential flat buildings, each being of 4 storeys, basement car parking and communal open space at ground level around each building. A total of up to 100 apartments, across all buildings within the Site, are proposed having a mix of 1-, 2- and 3- bedroom dwellings.

1.3 Land to Which the Planning Proposal Applies

1.3.1 Site Description

The Site comprises 10 lots as listed in Table 1. The majority of lots are developed with low density housing. Of these, three (3) lots, at 53-55, 71, and 73 Toongabbie Road, contain multiple villa-type dwellings. The Site area is approximately 10,000m².

Table 1: Lots within Request

Description	Street Address
Lot 1 DP869954	53-55 Toongabbie Road
Lot 191 DP11508	57 Toongabbie Road
Lot 192 DP11508	59 Toongabbie Road
Lot 193 DP11508	61 Toongabbie Road
Lot 2 DP207106	63 Toongabbie Road
Lot 1 DP207106	65 Toongabbie Road
Lot 196 DP11508	67 Toongabbie Road
Lot 197 DP11508	69 Toongabbie Road
Lot 198 DP11508	71 Toongabbie Road
Lot 199 DP11508	73 Toongabbie Road

The Site has an eastward road frontage to, and access via, Toongabbie Road with residential land uses to the north, south and east, and Girraween Park to the west. An aerial photo of the Site is provided at Figure 1 and the cadastral plan is provided at Figure 2.



Figure 1: Location of Site (bound in yellow)

CADASTRAL PLAN—53-73 TOONGABBIE ROAD, TOONGABBIE

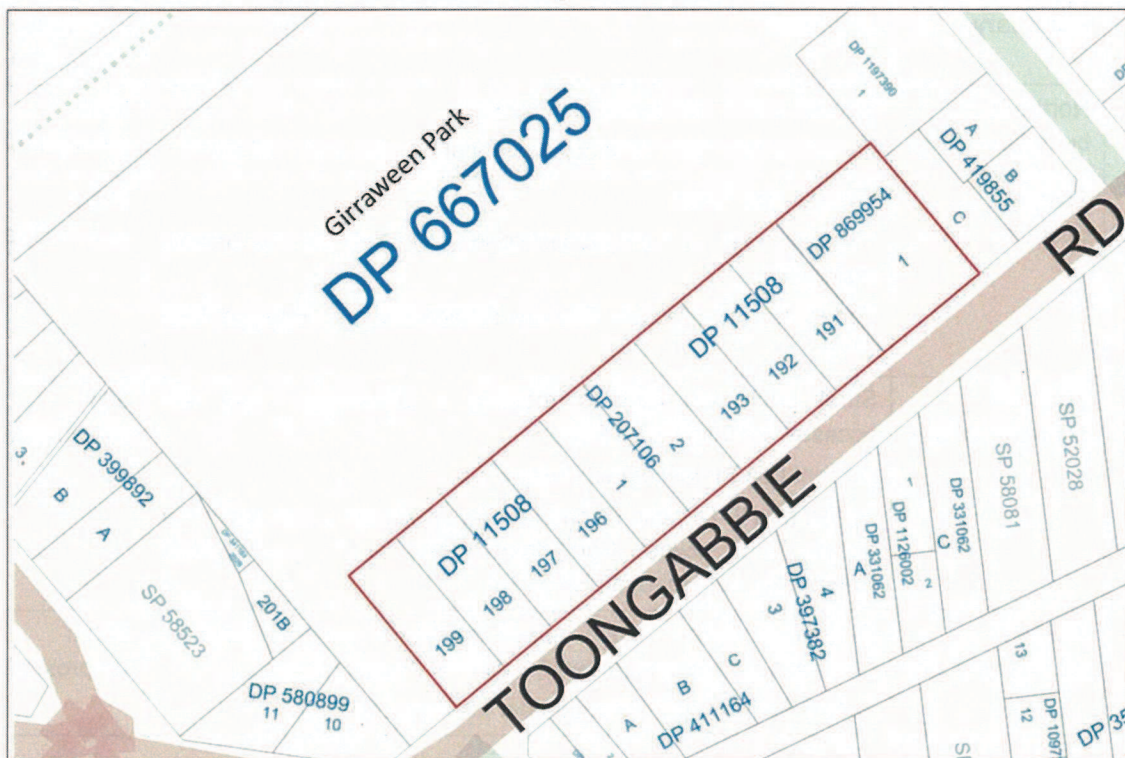


Figure 2: Site Cadastral map

1.3.2 Site Ownership

The Proponents are the current or future owners of five consecutive lots within the Site.

NSW Land and Housing Corporation own three lots, being the multiple villa units at 53-55, 71 and 73 Toongabbie Road, and are not party to the rezoning application. The remaining two lots are in private ownership and are not party to the rezoning application.

The Planning Proposal request was reported to Council on 20 October 2015 where it was resolved to defer consideration of the Planning Proposal pending discussion with the three other property owners. Subsequent to that resolution, all owners of the lots comprising the Site were informed of the Planning Proposal Request and no objection has been raised.

1.3.3 Site Context

The Site, at the closest points, is located approximately 620m south of the Toongabbie train station and approximately 300m south of the Toongabbie Local Centre (both distances calculated along Toongabbie Road) (refer Figure 3). The nearest bus routes (with stops) travel along Targo Road and Oramzi Road.

Table 2: Site frontages and adjacent land uses

Boundary	Land Use	Frontage (distance)
Northern boundary of site	Current use is low density residential. Zoned for R4 High Density Residential per Holroyd LEP 2013.	50m (approximate)
Eastern boundary of site	Toongabbie Road. Opposite side of Toongabbie Road – Current use low density residential. Zoned for R3 Medium Density Residential per Holroyd LEP 2013.	200m (approximate)
Southern boundary of site	Small public car park (connecting to Girraween Park) with access via Toongabbie Road. Current use for low density residential. Zoned for RE1 Public Recreation (approximately 20m width for access to Girraween Park) then zoned for R2 Low Density Residential per Holroyd LEP 2013.	50m (approximate)
Western boundary of site	Girraween Park. Open space containing sports grounds, children's playground, amenity building, and picnic area. Zoned RE1 Public Recreation per Holroyd LEP 2013.	200m (approximate)

LOCALITY MAP—53-73 TOONGABBIE ROAD, TOONGABBIE



Figure 3: Site Context (Site bound in red)

1.4 Planning Context

1.4.1 Holroyd Local Environmental Plan 2013

The Site is currently affected by the following controls:

- Land Use Zoning of R2 Low Density Residential (Figure 4).
- Floor Space Ratio (FSR) of 0.5:1 (Figure 5).
- Maximum Building Height of 9m (Figure 6).
- Minimum lot size of 450sqm (Figure 7).

The Site is predominantly developed with low density residential housing with three lots, being those owned by the NSW Land and Housing Corporation, having multiple villa-style housing.

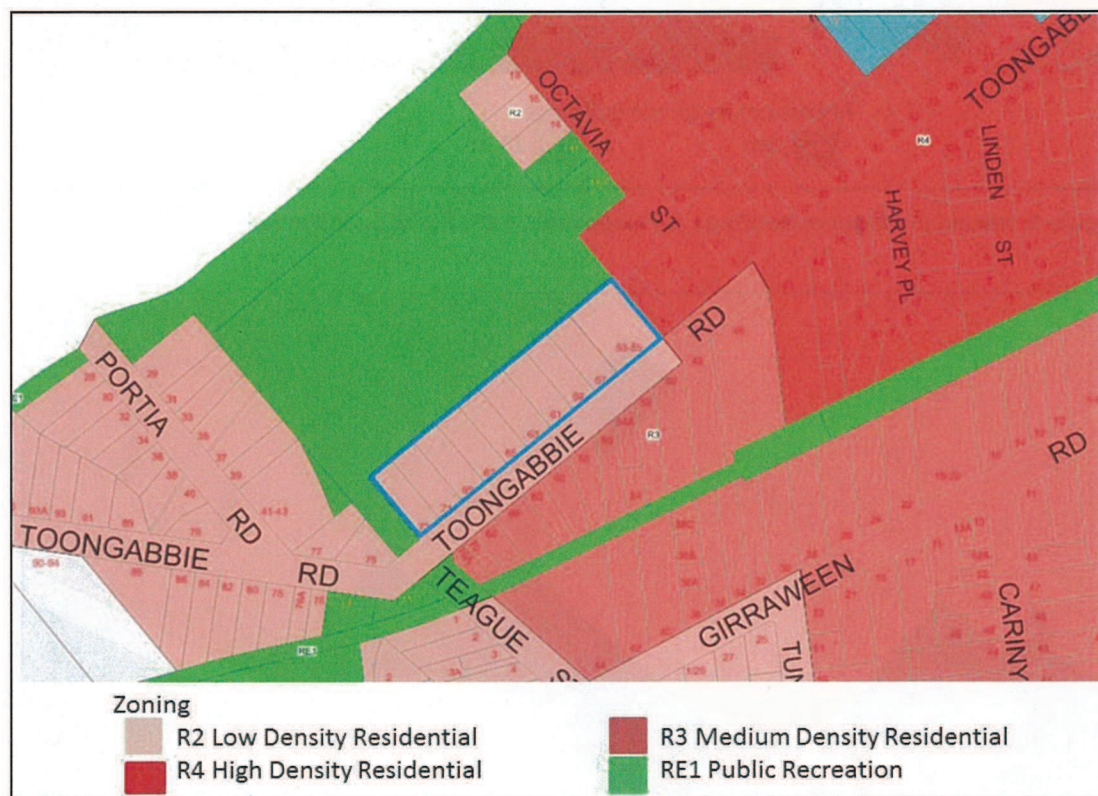


Figure 4: Zoning map per Holroyd LEP 2013 (Site bound in blue)

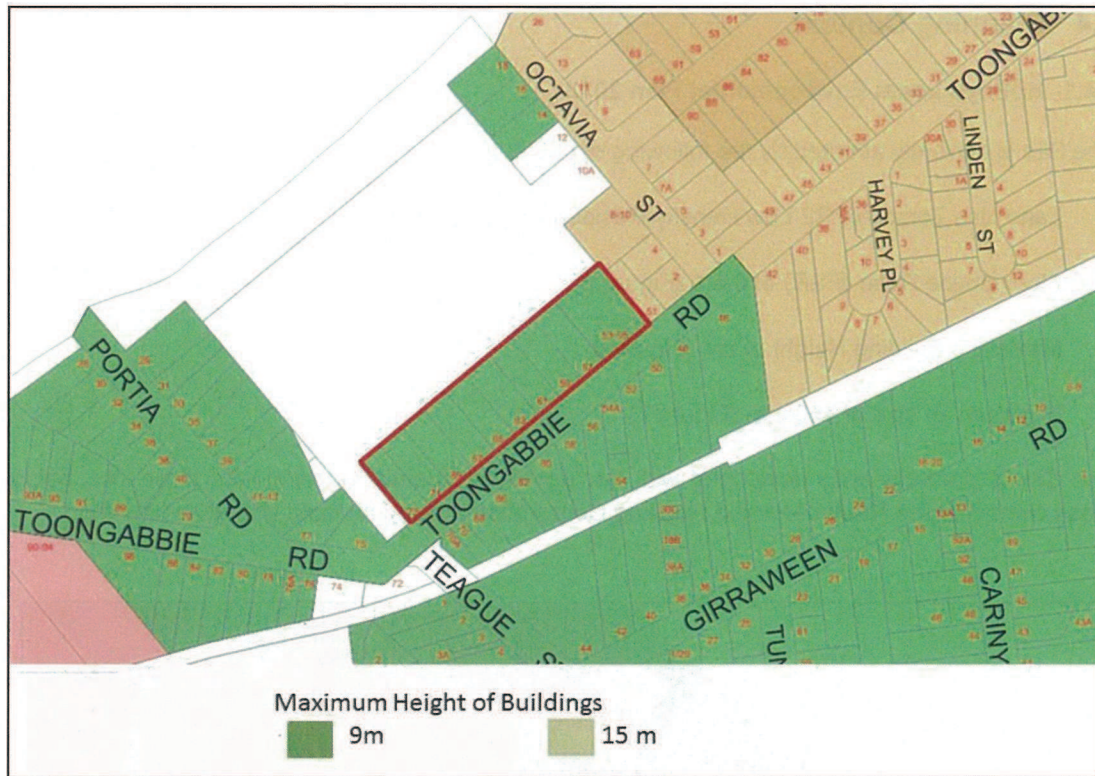


Figure 5: Maximum Height of Buildings per Holroyd LEP 2013 (Site bound in red)

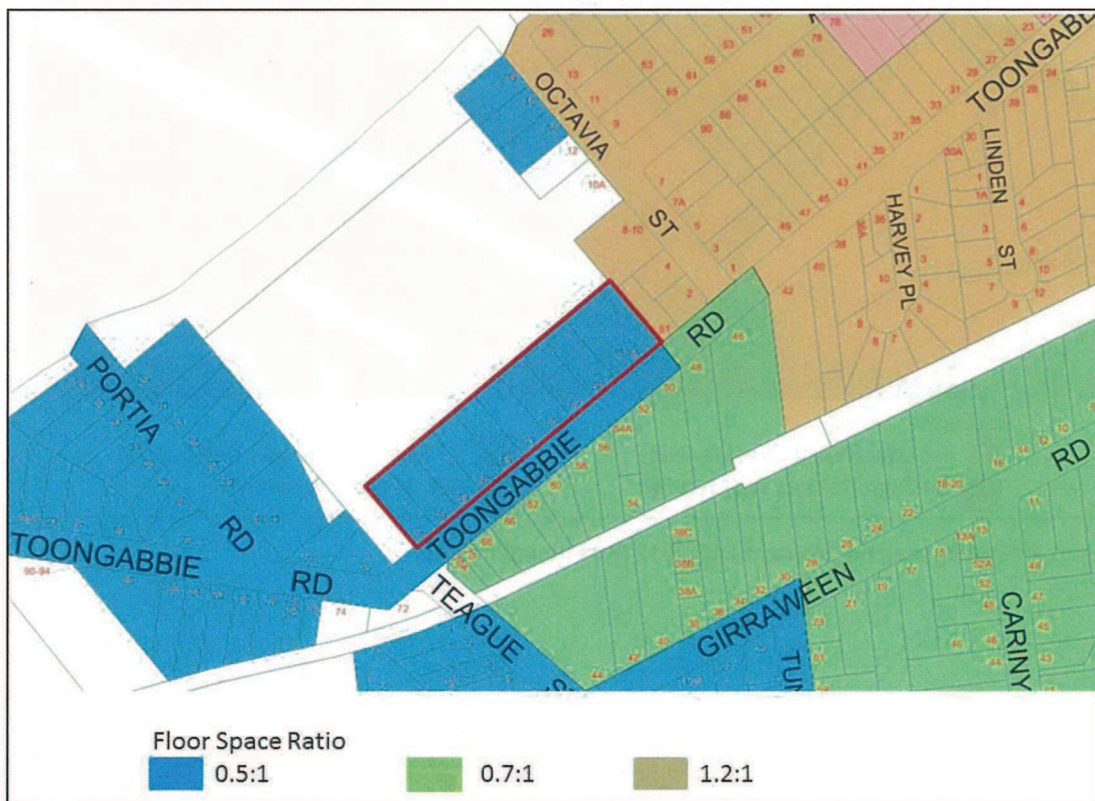


Figure 6: Floor Space Ratio Plan per Holroyd LEP 2013 (Site bound in red)



Figure 7: Minimum Lot Size per Holroyd LEP 2013 (Site bound in blue)

1.5 Pre Lodgement Meetings

The proponents' representative and Think Planners (authors of the Planning Proposal Request) met with Council Strategic Planning staff on 11 December 2014 to discuss the potential rezoning and redevelopment of multiple lots forming part of the Site. As part of these early discussions, the general information and supporting documentation required as part of any request for a higher density residential use were identified.

1.6 Council Resolution

The Planning Proposal request was first reported to Council on 20 October 2015. At that time the Planning Proposal request had not been raised with the landowners who were not party to that request. At the Council meeting the following was resolved: "On resumption, a motion was moved Clr. Lake, seconded Clr. Dr. Brodie that the planning proposal be deferred pending discussion with the three other property owners. Resolved on the motion of Clr. Whitfield, seconded Clr. Kafrouni that the motion be Put. The motion moved Clr. Lake, seconded Clr. Brodie on being Put was declared CARRIED."

All owners of the lots comprising the Site were subsequently informed of this Request and no objection has been raised. The matter was reported back to Council on 8 December 2015 with this updated advice. Council considered the matter and resolved to proceed with the Planning Proposal. A copy of the 8 December 2015 Council Report, with the associated Council resolution, is provided at Appendix B.

2 The Planning Proposal

2.1 Part 1: Objectives and Intended Outcomes

The objectives of the Planning proposal are to enable the redevelopment of the Site for higher density residential development.

The intended outcome of the rezoning and other related building control amendments is to enable the future redevelopment of the Site to support 4-storey residential flat buildings, containing a total of up to 100 dwellings.

An indicative Concept Development design for the redevelopment of the site has been provided in the applicants' Planning Proposal documentation with excerpts provided below. The Concept Development design will be revised and refined as part of any future Development Application process subsequent to approval of this Holroyd LEP amendment application.

2.2 Part 2: Explanation of Provisions

The proposed objective and intended outcomes of the Planning Proposal would be achieved by amending the Holroyd LEP 2013 for the 10 lots at 53-73 Toongabbie Road, Toongabbie, as follows:

- Land Use Zoning of R4 High Density Residential.
- Increase the Maximum Building Height to 15m.
- Increase the FSR to 1:1.
- Increase the minimum lot size to 900sqm.

The current controls and the proposed (amended) controls are summarised in Table 3. Maps of the current and proposed (amended) controls under the Holroyd LEP 2013 are provided in Figure 8; Figure 9; Figure 10; and Figure 11, and in Attachment D.

Table 3: Summary of proposed control changes

Control	Current	Proposed
Land Use Zone	R2 Low Density Residential	R4 High Density Residential
Maximum Building Height	9m	15m
Floor Space Ratio (FSR)	0.5:1	1:1
Minimum Lot Size	450sqm	900sqm

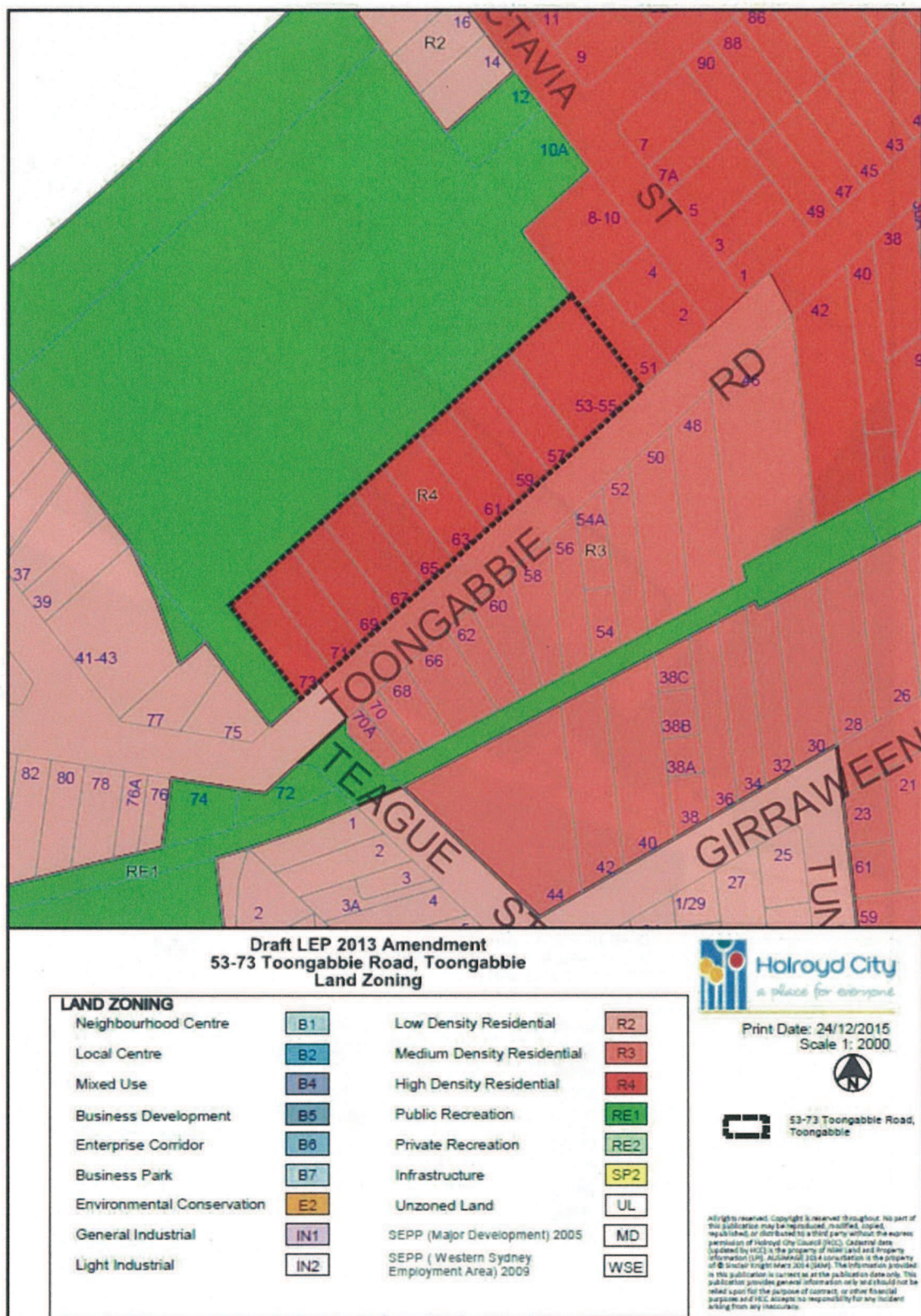


Figure 8: Proposed Land Use Zone (R4 High Density Residential)

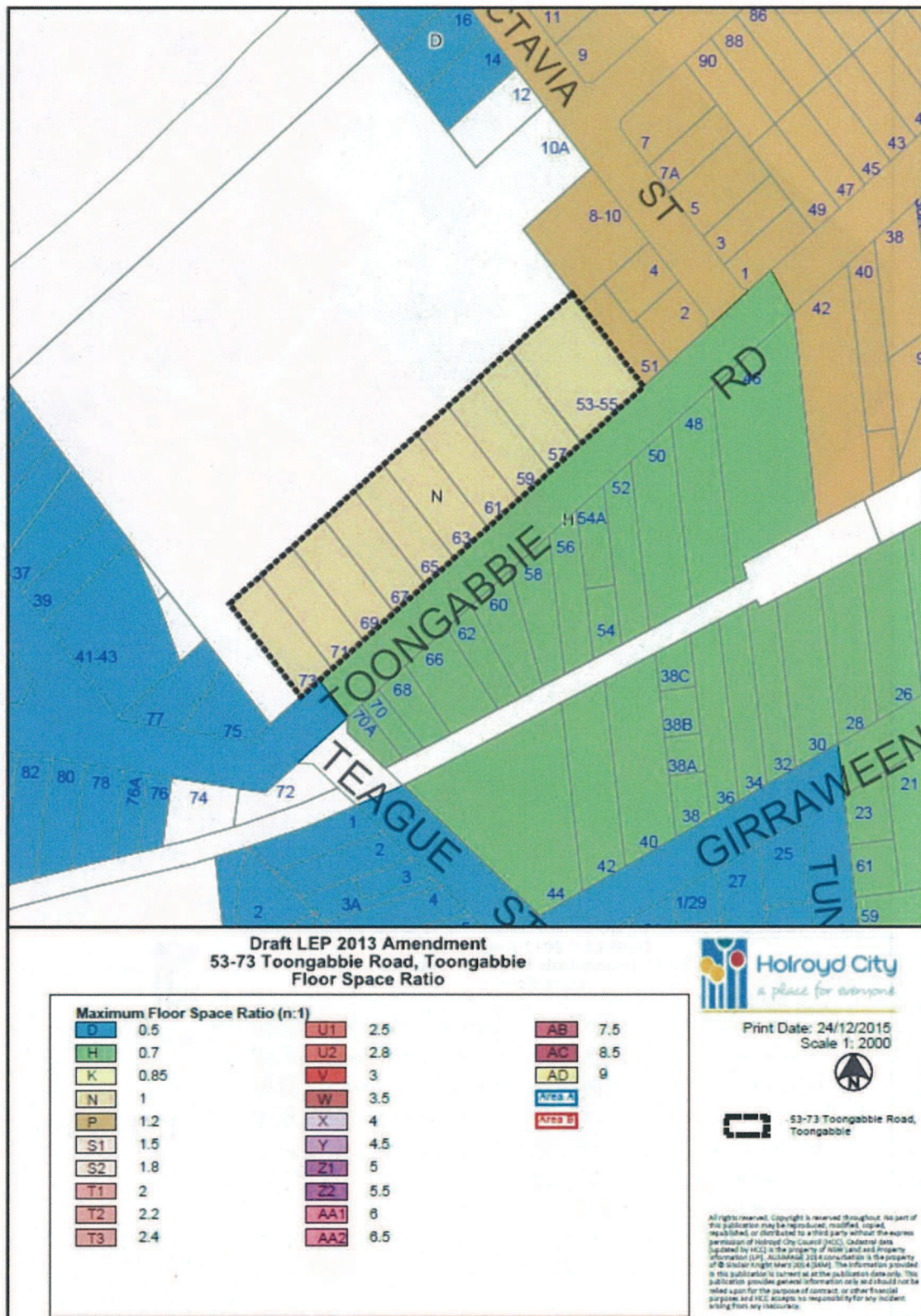


Figure 9: Proposed Floor Space Ratio (at 1:1)

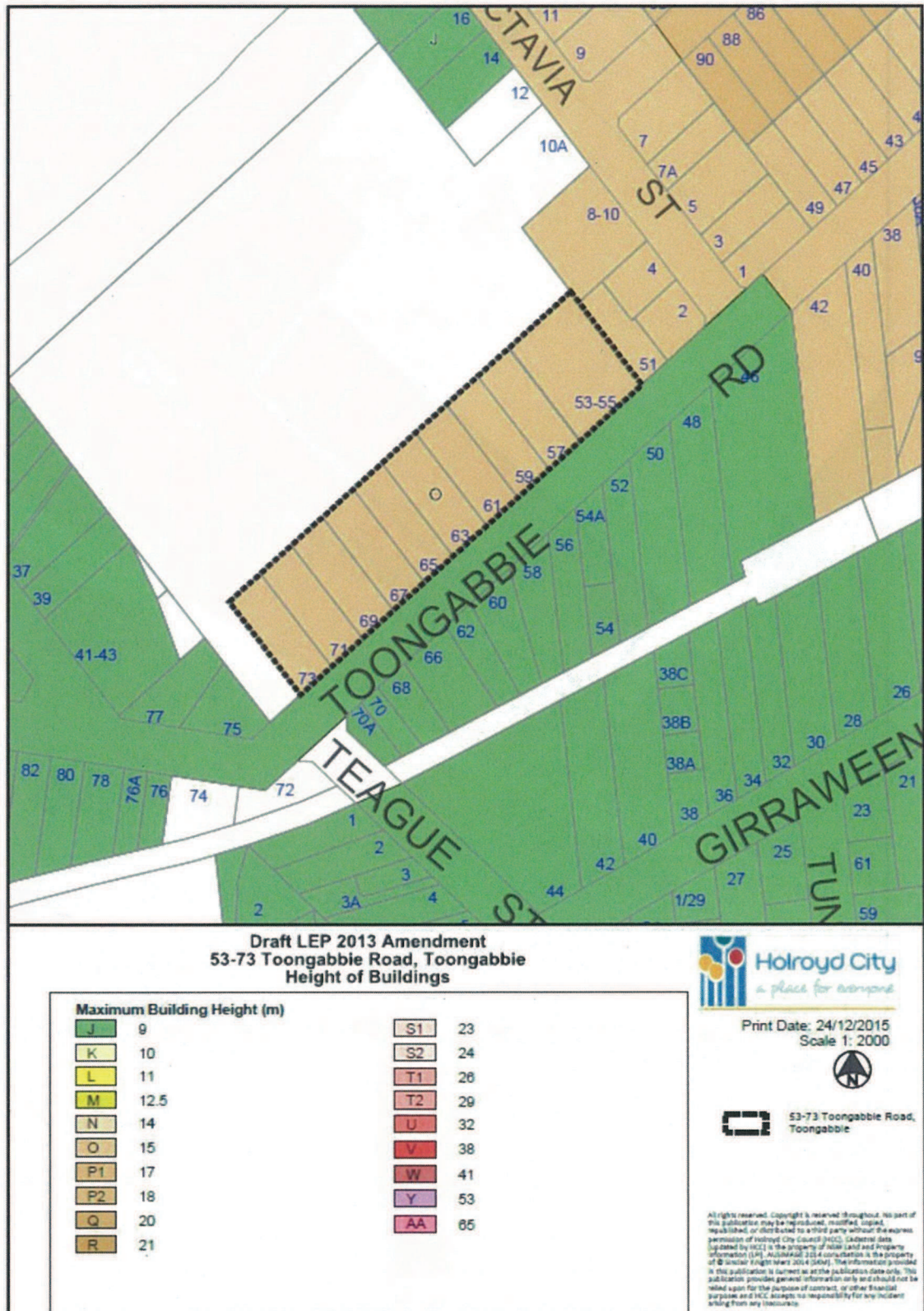


Figure 10: Proposed Height of Buildings (at 15m)

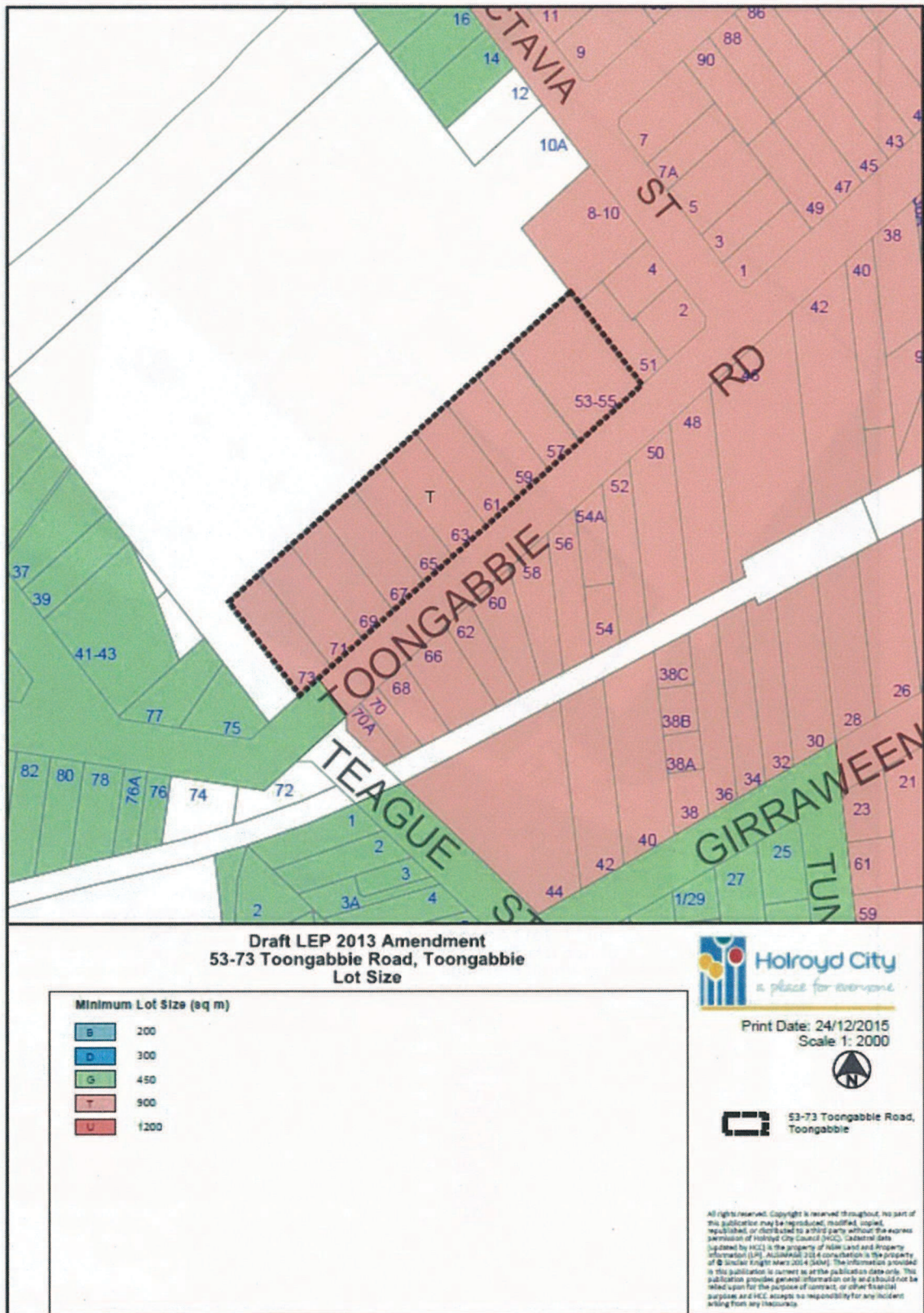


Figure 11: Proposed minimum lot size (at 900sqm)

2.3 Part 3: Justification

This Planning Proposal is to enable the construction of residential flat buildings. Under the Development Concept, the Site is to support five (5) buildings; with each building indicated as having the following elements:

- Four storeys of apartments (ground level and three levels above) having a mix of 1, 2 and 3 bedroom apartments.
- Basement car parking with separate driveway access on the northern side of each building. Basement area also contains lift access to building above, waste area and bicycle parking area.
- Communal open space surrounding each building at ground level.

Figure 12 provides an indicative building design for the Site

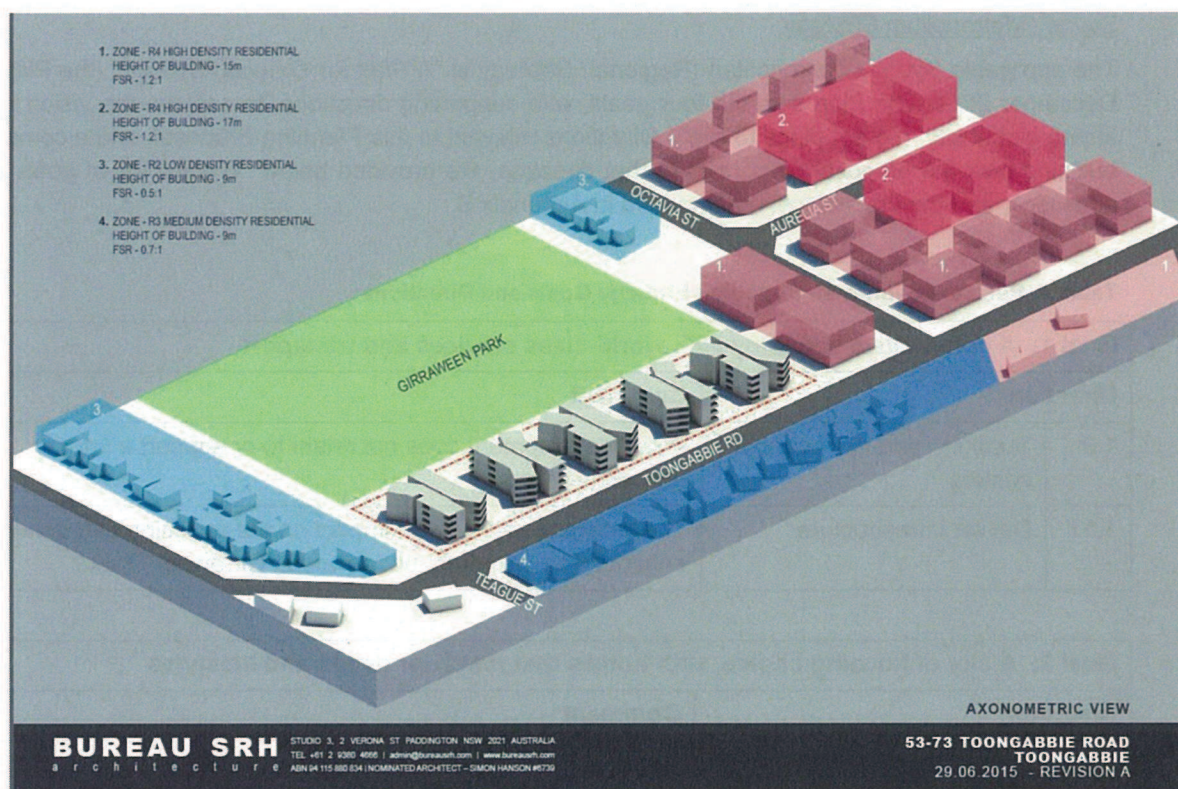


Figure 12: New residential flat (apartment) buildings - preliminary on-site location and configuration. Shown in context to surrounding development under current LEP controls (per proponent planning proposal request – urban planning review (within Attachment B to this report)

2.3.1 Section A - Need for the Planning Proposal

Q: Is the planning proposal a result of any strategic study or report?

The Proponent Planning Proposal application is not the direct result of a strategic study or report.

However, the proposed amendment to the Holroyd LEP 2013, to enable redevelopment with housing of higher density on the Site, aligns with a number of state and regional strategic studies and reports (detailed in Section B).

Q: Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. It is considered that the Planning Proposal is the best means of achieving the objectives and intended outcomes.

Rezoning of the lots, and changes to the associated controls, are required to enable redevelopment at a higher density of residential uses. The proposed amended controls are consistent with the numerous approved and planned (lodged) development applications for R4 High Density Residential developments within the Toongabbie centre area and backing onto Girraween Park.

2.3.2 Section B - Relationship to strategic planning framework

Q: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Sydney Metropolitan Strategy

The applicable Sydney Metropolitan (Regional) Strategy is “A Plan for Growing Sydney” (the Plan) of December 2014. The Plan sets out four goals, with supporting directions, to achieve the vision of “a strong global city, a great place to live”. Directions relevant to this Planning Proposal, and a comment outlining how the proposal responds to that direction, are provided below. The full list of goals and directions, and their relevance, are provided in Appendix B.

Table 4: Relevant Sydney Metropolitan Strategy Goals and Directions

Goal 1: A competitive economy with world-class services and transport		
Direction		Comment
1.9	Support priority economic sectors	The redevelopment does not relate to or support a priority economic sector.
1.11	Deliver infrastructure	The proposal will have an impact on the provision and delivery of enhanced social infrastructure within Girraween Park.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles		
Direction		Comment
2.1	Accelerate housing supply across Sydney	The proposed redevelopment will increase the number of dwellings on the Site as an intense (dense) development and so contribute to meeting housing targets.
2.2	Accelerate urban renewal across Sydney – providing homes closer to jobs	The Site is in proximity to an existing local centre (Toongabbie town centre) and public transport options to access services and employment. The redevelopment will increase the number of dwellings on the Site. The Site is adjacent to existing Parkland that supports a range of recreational activities.

2.3	Improve housing choice to suit different needs and lifestyles	The Planning proposal seeks to increase the density of housing on the site (to high density residential). The redevelopment proposal is to provide a mix of 1, 2 and 3 bedroom apartments which will suit a variety of dwelling requirements by residents. The Site is in proximity to a local centre and a range of transport modes.
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Goal 3: A great place to live with communities that are strong, healthy and well connected

Direction		Comment
3.1	Revitalise existing suburbs	The redevelopment will provide new and increased number of dwellings within an established suburb and in proximity to the Toongabbie local centre. The Site is in proximity to public transport modes (bus and train) and active transport pathways. The site is connected to utility services – any potential need to upgrade those services would be expected to be assessed and considered as part of any future development application process. Girraween Park is located adjacent to the site.
3.2	Create a network of interlinked, multipurpose open and green spaces across Sydney	The intended use does not include public space. Resident-only (private) communal open space is proposed. No changes are proposed to the adjacent open space (Park). However, improvements to Girraween Park as proposed in the Park Plan of Management, may be progressed earlier than identified in that Plan to meet the needs of the increased local population, improve community outcomes and redress minor issues raised by the proposed development.
3.3	Create healthy built environments	The proposed development concept provides space for bicycle parking within the basement area. The Site is located within walking distance of bus services (stops), train station and Toongabbie local centre. The development concept provides areas of communal open space around each building.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

Direction		Comment
4.2	Build Sydney's resilience to natural hazards	The southern portion of the Site is affected by a 1% Annual Exceedance Probability (AEP) storm event and associated with the nearby Greystanes Creek drainage flow. Structures within the affected area would be subject to floor level controls. Application of those flood controls would be required as part of the detailed design and confirmed as part of the assessment of any future development application process.

4.3	Manage the impacts of development on the environment	Details of the building design, construction activities management and measures to incorporate ecologically sustainable development principles will be identified at any future Development Application process.
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Sub-Regional / District Strategy

The current sub-regional strategy covering the Toongabbie area is the West Central Sub-Regional Strategy (draft) of 2007 that was prepared under the previous Metropolitan Strategy. This Sub-Regional strategy was not finalised. No Sub-Regional Strategy, or District Strategy (the future strategy document) associated with and supporting "A Plan for Growing Sydney" has yet been prepared. While this Strategy is outdated the general intent of supporting elements including economic growth, housing, social needs and transport remain relevant.

The planning proposal seeks to enable higher density housing on the Site. The Site is in proximity to an existing urban centre that provides retail and other services, with a train station and bus services within walking distance (at less than 650m and 400m respectively).

Q: Is the planning proposal consistent with the Council's local strategic or other local strategic plan?

Council's local strategic plan is the "Living Holroyd: Community Strategic Plan 2013", providing the vision for the LGA to 2031. The vision consists of five (5) elements, being a place that is:

- Active: a place that is inclusive, healthy and safe.
- Growing: a place that is focused on effective urban planning and economic development.
- Balanced: a place that values its environment, open space and sustainable development.
- Connected: a place that is open and accessible for all.
- Dynamic: a place that is engaged and innovative.

The Planning Proposal application (request) and associated development concept are consistent with and support many of the elements of the Vision for Holroyd including to:

- Provide housing in proximity an existing urban centre that provides retail and services to meet the needs of local residents.
- Is in proximity to public transport modes (rail station and bus stops) accessible by road and footpath which connects the site to local centre, the region and Sydney metropolitan area.

Q: Is the planning proposal consistent with applicable State Environmental Planning Policies?

There are no State Environmental Planning Policies (SEPPs) or known draft policies that would prohibit or restrict the Planning Proposal.

A list of relevant SEPPs to the proposed development and comment on their consistency are identified below (Table 5).

A full listing of SEPPs and a comment addressing their application to this Proposal is provided at Appendix C.

Table 5: Consistency to Relevant SEPPs

SEPP	Relevance / Consistency
State Environmental Planning Policy No 32 - Urban Consolidation (Redevelopment of Urban Land)	This SEPP is to ensure redevelopment of appropriate sites for housing including higher density housing, located near employment and supporting infrastructure. The Site of this proposal meets those criteria.
State Environmental Planning Policy No 55 - Remediation of Land	The potential for site contamination is considered low and unlikely given current and historical use of the site for residential uses.
State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development	The redevelopment of the site for residential dwellings (apartments) will be subject to this SEPP. Detailed design of the buildings and apartments as part of any future development application process would need to demonstrate consistency with and application of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The redevelopment of the site for residential dwellings (apartments) will be subject to this SEPP. Detailed design of the buildings and apartments as part of any future development application process would need to demonstrate consistency with and application of this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	The proposed development will increase the number of traffic movements on road networks. The increased traffic will be cumulative to any other traffic increases. The overall increase in traffic may require works to road infrastructure to support this additional demand.
State Environmental Planning Policy (State and Regional Development) 2011	The proposed development may be determined to constitute regional development, for referral to a JRPP. This will relate to the scale of the redevelopment, as outlined in any future development application process and associated documentation.
Deemed State Environmental Planning Policy –Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	There are no elements of this planning proposal that would affect the application of this SEPP.

Q: Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Relevant Section 117 (s117) Ministerial Directions to the proposed development and comment of consistency are identified below (Table 6). A list of all s117 Directions, their relevance and consistency, are provided in Appendix C.