

planning proposal
report



37-39 pavesi street,
smithfield

planning proposal report



37-39 pavesi street,
smithfield

prepared for
Landcorp Australia Pty Ltd

prepared by



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appendices

- Appendix 1 – Council Notice of Determination (refusal) dated 16 April 2015 in respect to DA 2014/584
- Appendix 2 - Letter from Council to Construct Corp dated 28 May 2015
- Appendix 3 - Council email dated 2 November 2015
- Appendix 4 - Survey dated 4 February 2014 prepared by SDG Land Development Solutions
- Appendix 5 - Concept Masterplan prepared by Form Architects
- Appendix 6 - Urban Design Report dated October 2016 prepared by Form Architects
- Appendix 7 - Traffic and Parking Assessment Report dated October 2016 prepared by Varga Traffic Planning Pty Ltd
- Appendix 8 - Contamination Investigation Report dated 20 January 2016 prepared by Environmental Investigations Australia
- Appendix 9 - Flood Assessment Report dated February 2016 prepared by SGC Consultants Pty Ltd
- Appendix 10 - Stormwater Management Plan prepared by SGC Consultants Pty Ltd
- Appendix 11- Risk Assessment Report dated 23 December 2015 prepared by Scott Lister
- Appendix 12- Arboricultural Impact Assessment Report dated October 2016 prepared by Redgum Horticultural
- Appendix 13- Acoustic Assessment Report dated October 2016 prepared by Acouras Consultancy

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- Appendix 14- Heritage Impact Statement prepared by The Urban Planning Partners Group Pty Ltd
- Appendix 15- Social Impact Statement dated October 2016 prepared by Willana Associates
- Appendix 16- Economic Impact Assessment dated 20 October 2016 prepared by Colliers International

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1. executive summary

1.1. Overview

This Planning Proposal Report has been undertaken on behalf of our client, Landcorp Australia Pty Ltd. The Report has been prepared to accompany the Planning Proposal lodged with Holroyd City Council (now Cumberland Council) to enable opportunities for the future redevelopment of 37-39 Pavesi Street (the Site) by rezoning the Site to R2- Low Density Residential (the Planning Proposal). This will enable residential development which will:

- Improve the interface between industrial and residential uses on Pavesi Street
- Improve the separation of industrial and residential traffic on Pavesi Street
- Increase the housing supply and housing mix in close proximity to employment lands

This Report addresses the following:

- It defines key principles relating to land use, massing and built form, public domain and sustainability that will guide the future development of the Site and surrounding locality.
- It proposes amendments to the Holroyd Local Environmental Plan 2013 (HLEP 2013) to allow for the future redevelopment of the Site.
- It presents a considered and evidence based Urban Design Analysis and Concept Master Plan for the Site prepared by Form Architects.

1.2. Background

The Planning Proposal was lodged with Council on 4 March 2016.

On 10 August 2016 the Planning Proposal was presented to Cumberland Council IHAP (CIHAP). Council's strategic planning staff made the following recommendations to CIHAP:

1. *That Council proceed with the preparation of a Planning Proposal for 37-39 Pavesi Street, Smithfield, which proposes to rezone the site for R2 Low Density Residential, with the following planning controls:*
 - *A maximum floor space ratio of 0.5:1*
 - *A maximum building height of 9m*
 - *A minimum lot size of 450m²*
2. *That a revised concept be provided prior to public exhibition, incorporating the following:*

- *Revised road design that ensures service vehicles can move safely along the entire length of the road*
 - *Revised turning arrangement for service vehicles, located at the end of the road*
 - *A minimum lot size of 450m²*
3. *That, prior to public exhibition, the revised road design be reported to Council's Traffic Committee along with the proposal to dedicate the new road to Council, for the committee's consideration.*

CIHAP resolved that the proposal should proceed in accordance with these recommendations.

The matter was then referred to Council for assessment at its meeting on 7 September 2016. On the basis of the CIHAP resolution, Council's staff sought Council's endorsement for the preparation of a Planning Proposal for submission to the State Government. The Council report recommended:

- i) *That Council receive the minutes of the CIHAP report C015/06 and adopt the recommendations as resolved by the CIHAP.*
- ii) *That the revised concept incorporate site-specific controls that establish the location and dimensions of the road within a 20m buffer between new residential dwellings and the boundary with the industrial zone, including a minimum physical separation/vegetation buffer between the proposed road and property/zone boundary.*

On 7 September 2016 Council's Administrator determined that:

- i) *Council receive the minutes of the CIHAP report C015/06 and adopt the recommendations as resolved by the CIHAP.*
- ii) *The revised concept incorporate site-specific controls that establish the location and dimensions of the road within a 20m buffer between new residential dwellings and the boundary with the industrial zone, including a minimum physical separation/vegetation buffer between the proposed road and property/zone boundary.*

The Planning Proposal has been amended to comply with the conditions imposed by Council as described above. This Planning Proposal Report assesses the amended Planning Proposal.

1.3. Concept Master Plan

The Site is currently zoned IN2 Light Industrial. Residential accommodation is prohibited in the IN2 zone. This Report has been prepared to enable the development of residential properties on the Site through the request to Council to prepare a Planning Proposal for the preparation of a site specific amendment to the HLEP 2013. A Concept Master Plan prepared by Form Architects (see Appendix

5) has been developed which responds to the Site's surrounding context, including the prevailing zoning and the site constraints.

Form Architects have undertaken a comprehensive urban design analysis of the Site and, as a result, have developed a building envelope option that can achieve:

- Environmental sustainability through quality design
- Best practice residential amenity for future residents and maintaining residential amenity for surrounding properties

The Concept Master Plan for the Site comprises the following:

- Residential accommodation (20 dwellings on 10 sites)
- Vehicle entrance and exit off Pavesi Street providing access to new road (to be dedicated to Council)
- Parking in accordance with Council's development control standards will be achieved
- Landscaped open space areas for use by residents with provision for generous deep soil zones

1.4. Background

It has become clear that the current industrial use of the Site has become untenable. This is demonstrated by the refusal of DA 2014/584 by Council (see Appendix 1). That DA was for construction of industrial buildings on the Site. The DA was partially refused on the basis of the impact of the proposed industrial buildings on the adjoining residential properties and on the need to separate industrial traffic from residential traffic on either side of the Pavesi Street traffic chicane. The current Planning Proposal will achieve those outcomes.

1.5. Proposed LEP Amendment

To facilitate the redevelopment of the Site in accordance with the Concept Master Plan, amendments to HLEP 2013 are required. An amendment to the land use zoning applicable to the Site to allow residential use in the form of dual occupancies is sought. In addition, the application of development standards for maximum height (9m), floor space ratio (FSR) (0.5:1) and minimum lot size (450m²) under the HLEP 2013 are also requested.

1.6. Planning Outcomes

The Site is considered to be suitable for residential development and, as such, represents a strategic opportunity to:

- Contribute to the quantity and mix of local housing
- Implement State Government policy which supports additional housing opportunities in close proximity to existing public transport

- Achieve improved traffic outcomes
- Meet future parking requirements of the proposed residential development (assessed against Council's parking standards)
- Ensure that future development can achieve the principles and requirements of the Holroyd DCP 2013 (HDCP 2013) and a thorough urban design study
- Maintain and improve residential amenity of existing properties in the vicinity of the Site. The design and siting of new buildings has been informed by the comprehensive site analysis and urban design study to ensure that development will not result in adverse impacts on existing residential properties

The proposal is therefore consistent with the State and Council strategic planning framework

1.7. Recommendation

It is therefore recommended that this request to prepare a Planning Proposal (as described above) be favourably considered by Council. It is requested that Council resolve to forward the Planning Proposal to the NSW Department of Planning and Environment (DoP&E) for Local Environmental Plan Gateway determination in accordance with the Environmental Planning and Assessment Act 1979.

2. introduction

2.1. The Client

This Planning Proposal request has been prepared for Landcorp Australia Pty Ltd to initiate the preparation of a Local Environmental Plan (LEP) by Council as the responsible planning authority to rezone the Site.

2.2. The Proposal

The Site is currently zoned IN2 Light Industrial under the HLEP 2013. There are no development standards pertaining to building height or floor space ratio currently applicable to the Site. A minimum lot size of 1200m² applies.

The Planning Proposal seeks to rezone the Site to R2 Low Density Residential to facilitate its redevelopment for residential purposes. In addition, the application of development standards for maximum height (9m), floor space ratio (FSR) (0.5:1) and minimum lot size (450m²) under the HLEP 2013 are also requested.

This Report is accompanied by plans and studies prepared by specialist consultants to provide a comprehensive analysis of the Site opportunities and constraints. The supporting studies have informed the proposed rezoning of the Site to allow for a residential development under the provisions of a site specific amendment to the HLEP 2013.

2.3. This Report

This Report has been prepared in accordance with:

- Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act)
- The relevant guidelines prepared by the then NSW Department of Planning and Infrastructure (now the DoP&E) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*
- Related Section 117 Directions

The Planning Proposal includes the following information:

- a) A description of the Site and its context
- b) Indicative Site plan showing sufficient detail to indicate the effect of the proposal (See Concept Master Plan prepared by Form Architects at Appendix 5)
- c) Statement of the objectives and intended outcomes of the proposal
- d) Explanation of the provisions of the proposal
- e) Summary of the justification of the proposal

- f) Description of the community consultation process that would be undertaken
- g) Conclusion to this report

2.4. Proponent and Project Team

The Planning Proposal has been prepared on behalf of Landcorp Australia Pty Ltd. Table 1 identifies the project team.

Table 1 | The Project Team

Project team	
Urban Planning	Willana Associates
Urban Design/ Concept Plan	Form Architects
Traffic Impact Assessment	Varga Traffic Planning
Risk Assessment	Scott Lister
Flood Assessment / Stormwater Management Plan	S & G Consultants Pty Ltd
Contamination	Consulting Earth Services
Arborist	Redgum Horticultural
Acoustic	Acouras Consultancy
Heritage	The Urban Planning Partners Group Pty Ltd
Social Impact Assessment	Willana Associates
Economic Impact Assessment	Colliers International

2.5. Land ownership

The Site is owned by Merinos Investments Pty Ltd as trustee for Merinos Investments Discretionary Trust.

3. the land to which the planning proposal applies

3.1. Description of the Site

The Site has a legal description of Lot 36 DP 10958 and is known as 37-39 Pavesi Street Smithfield. The Site is located on the northern side of Pavesi Street.

The Site has a southern (front) boundary of 40.25m, a northern (rear) boundary of 40.25m, an eastern (side) boundary of 201.19m and a western (side) boundary of 201.19m in length. The total Site area is 8098.5m² (see Survey at Appendix 4).



Figure 1| Aerial Site View

Source <https://maps.six.nsw.gov.au/>



Subject site: 37-39 Pavesi Street, Smithfield



3.2. Land Ownership

The Site is privately owned by Merinos Investments Pty Ltd as trustee for Merinos Investments Discretionary Trust. The existing buildings on the Site are leased to and occupied by Merinos Rugs Pty Ltd.

3.3. Site Features

The key existing features of the Site can be seen in the aerial photograph at Figure 1 and are described in Table 2.

Table 2 | Site Features

Feature	Details
Topography	The Site rises gently from a low point of RL 28 in the south-western corner to a high point of RL 31.64 on the eastern boundary.
Site Layout and Built Form	The Site is occupied by three light industrial warehouse buildings. Toward the front boundary is a single storey, brick building with pitched, tiled roof. To the north of that building there are two larger concrete block buildings, each with a metal roof. Behind those buildings is a concrete hard stand area. An undeveloped area abuts the rear boundary.
Landscape	There is some informal vegetation at the front and rear of the Site and a further narrow strip of landscaping along the eastern boundary.
Vehicle Access	There is currently one vehicular crossing from Pavesi Street for the long access driveway that continues along the eastern boundary of the Site.
Pedestrian Access	There is currently no pedestrian access on the Site separated from the light industrial uses. Access is via the existing driveway.
Flood Risk	The Site is subject to flooding as set out in the Flood Study Report (Appendix 9).
Utility Services	The Site is currently serviced by Sydney Water, Electricity, Sewage and Telecommunications.

3.3.1. Use / Buildings / Structures

The buildings on the Site are currently exclusively used by Merinos Rugs Pty Ltd for storage of rugs.

3.3.2. Site Considerations

Zoning

The Site is currently zoned IN2 Light Industrial under the HLEP 2013.

Heritage

To the immediate north of the Site is the State Heritage Item I01629, which is described as “*pipehead, water supply canal and associated works*”. This is the Sydney Water pipeline leading from Prospect Reservoir. The Heritage Impact Statement prepared by The Urban Planning Partners Group Pty Ltd (Appendix 14) states that the Planning Proposal will have a negligible impact on the significance of the pipeline.

Flooding

The Site is subject to flooding as set out in the Flood Study Report (Appendix 9). The Planning Proposal has therefore been designed to address flooding, as set out in this report.

Contamination

The Contamination Investigation Report dated 20 January 2016 prepared by Environmental Investigations Australia (Appendix 8) concludes that its detailed site investigation identified some contamination on site. The Site can however be made suitable for low density residential purposes, subject to implementation of a suite of measures as discussed in this report.

Salinity

The Site is indicated in the HLEP 2013 maps as having moderate salinity potential.

Risk

The Risk Assessment Report dated 23 December 2015 prepared by Scott Lister (Appendix 11) states that *rezoning of the land should not be precluded on the basis of hazard and risk from neighbouring industrial facilities*.

Vegetation

The Site contains trees as detailed in the Arboricultural Impact Assessment Report dated October 2016 prepared by Redgum Horticultural (Appendix 12). That Report indicates which trees are to be removed in order to allow the Planning Proposal to proceed and confirms that those trees can be removed.

3.4. Site Context

To the east of the Site is a row of properties containing the following residential buildings:

- 41 Pavesi Street – single storey, brick dwelling-house with pitched, tiled roof
- 4 Wiley Place – single storey, timber dwelling-house with pitched tiled roof
- 6 Wiley Place – single storey, rendered dwelling-house with pitched, tiled roof and detached, single garage
- 63-67 Fairfield Road – approximately 20 single storey dwellings, predominantly attached, with a central access road in the middle
- 20 Winston Avenue - single storey rendered dwelling-house with pitched, tiled roof
- 21 Winston Avenue - single storey, timber dwelling-house with pitched, tiled roof and large detached garage in the rear yard
- 19 Winston Avenue - single storey, fibro dwelling-house with pitched, tiled roof

Many of the above dwellings are located in close proximity (as little as under 1m) to the boundary with the Site. This proximity negatively impacts on the amenity of those residences and also restricts the uses which can be reasonably carried out on the Site. The close proximity of the neighbouring dwellings makes the use of the Site for industrial purposes problematic.

This is demonstrated the refusal of DA 2014/584 by Council (Appendix 1). That DA was for the construction of industrial buildings on the Site. The DA was partially refused on the basis of the impact of the proposed industrial buildings on the adjoining residential properties. The refusal of DA 2014/584 suggests that the interface between industrial and residential uses on Pavesi Street needs improvement. The current Planning Proposal will achieve that outcome.

To the north lies the Sydney Water Pipeline and adjacent Liverpool to Parramatta Bus Transitway

To the west is 33-35 Pavesi Street, which contains three main warehouse buildings, with a large concrete hardstand area between the buildings accessed by a central driveway. A large number of storage containers are situated on the concrete hardstand area. There is a landscaped strip of approximately 15m depth adjacent to the Pavesi Street frontage.

To the south, on the opposite (southern) side of Pavesi Street, are two residential properties as follows:

- 52 Pavesi Street – single storey, brick dwelling-house with pitched, tiled roof and attached garage

- 54 Pavesi Street - single storey, masonry dwelling-house with pitched, tiled roof and attached garage.

The Pavesi Street chicane is situated to the immediate south-west of the Site and marks the separation between the industrial traffic to the west and residential traffic to the east.

The above properties are indicated in the following aerial photograph extract.



Figure 2 | Aerial Site Plan indicating neighbouring properties

Source <https://maps.six.nsw.gov.au/>



Subject site: 37-39 Pavesi Street, Smithfield



The Site is located in the suburb of Smithfield and adjacent to the boundaries with Guildford West and Woodpark. Smithfield is located in the Cumberland Local Government Area (LGA) and is approximately 23km west of the Sydney CBD.

Residential development to the north, south and east is characterised by low density housing, primarily detached single storey, brick dwelling-houses in landscaped settings.

Industrial development to the west forms part of the extensive Smithfield industrial area, comprised of a range of lot sizes and factory / warehouse sizes. The Site

contains relatively modest sized warehouses compared to most nearby lots, such as the large factories at 26 Pavesi Street and 149 McCredie Road.

Table 3 | Surrounding Context

Surrounding Context	Predominantly residential (zoned R2 Low Density Residential) to the north, south and east of the Site. To the west are industrial land uses (zoned IN2 Light Industrial and IN1 General Industrial).
Public Transport	The nearest bus stops to the Site are located at either end of Pavesi Street on Fairfield Road (250m from the Site), Sturt Street (360m from the Site) and the Liverpool to Parramatta Transitway (450m from the Site). Bus routes from Fairfield Road are: ▪ 802 – Liverpool to Parramatta ▪ 820 – Guildford to Merrylands ▪ 821 – Guildford to Woodpark Bus routes from Sturt Street are: ▪ 821 – to Smithfield Bus routes on T-Way (express, high frequency bus routes): ▪ T80 Liverpool to Parramatta ▪ T80 Parramatta to Liverpool
Educational Facilities	▪ Guildford West Public School, approximately 560m to the east ▪ Merrylands High School, Cerdon College and Key College Chapel School approximately 800m-1km to the north-east
Public Recreation Areas	▪ Tom Uren Park, which includes sports facilities, approximately 120m to the south ▪ Guildford West Sports Centre, which includes netball courts, a cricket ground, tennis courts and a baseball field, approximately 450m to the south ▪ Numerous local parks (Sandra Street, Helena Street, Albert Street and Vale Street) within a 500m radius of the Site

Local Centres	▪ Merrylands Shopping Centre approximately 2.8km to the north-east ▪ Fairfield Town Centre approximately 2.8km to the south ▪ Parramatta CBD approximately 5.8km to the north-east
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An Urban Design Analysis has been prepared by Form Architects (Appendix 6) and is included with the Concept Master Plan (Appendix 5) submitted with this Planning Proposal Report. The Urban Design Analysis indicates the proximity of the Site to the above amenities.

3.5. Site and locality photos



Photograph 1 | Subject site from Pavesi Street



Photograph 2 | 33-35 Pavesi Street from Pavesi Street



Photograph 3 | 52 Pavesi Street



Photograph 4 | 54 Pavesi Street



Photograph 5 | 41 Pavesi Street



Photograph 6 | Sydney Water pipeline and Liverpool to Parramatta Bus Transitway to north of the Site



Photograph 7 | Liverpool to Parramatta Bus Transitway



Photograph 8 | Traffic chicane on Pavesi Street (looking east)

3.6. Planning Context

3.6.1. Holroyd Local Environmental Plan 2013

The key local planning control that currently applies to the Site is the HLEP 2013.

Under the HLEP 2013, the Site is zoned IN2 Light Industry. An extract from the land zoning map LZN_006 is provided below in Figure 3. The extract indicates the zoning context of the locality, with the Site being situated adjacent to the R2 Low Density Residential zone to the east, north and south and the IN2 Light Industry zone to the west.

It can be seen that the Site forms something of an anomaly in the interface between the industrial and residential zones. Rezoning the Site from IN2 Light Industry to R2 Low Density Residential would correspond to the patterns of local development.

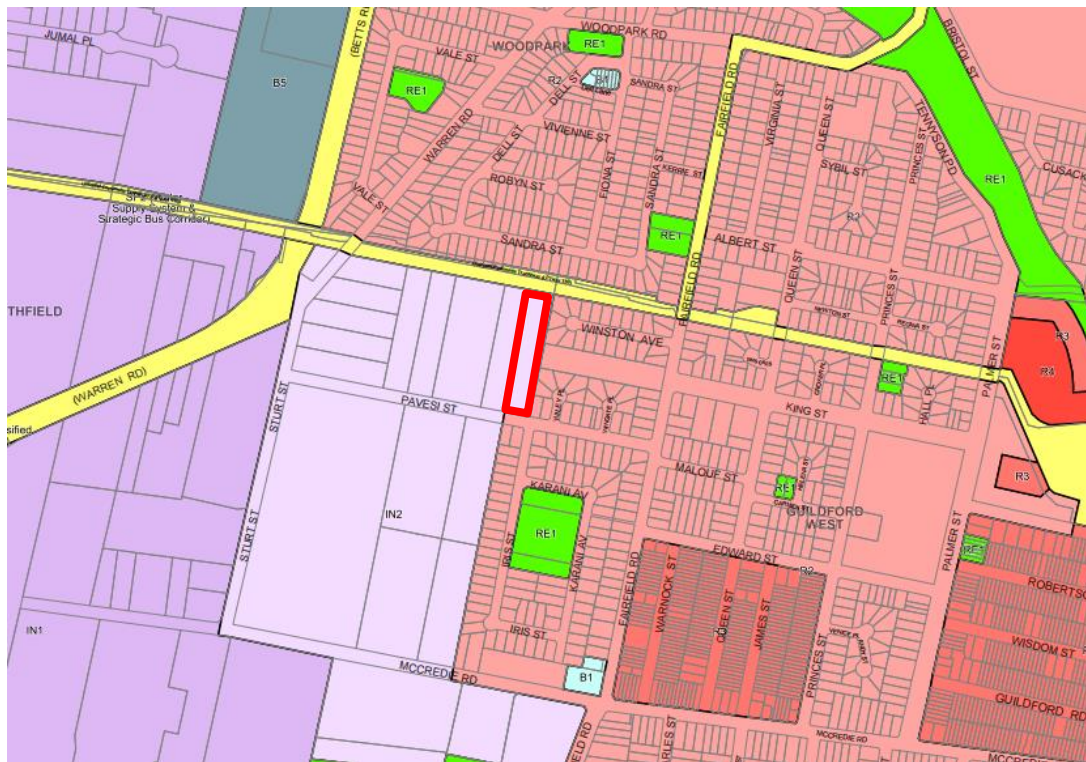


Figure 3 | Extract of HLEP 2013 Land Zoning map, showing the context of the zoning of the Site (indicated in red outline).

4. request to prepare a planning proposal

This section of the report has been prepared to follow the structure and format of the DoP&E *A Guide to Preparing Planning Proposals* (October 2012).

Accordingly, the proposal is discussed in the following six Parts:

- Part 1: A statement of the objectives or intended outcomes
- Part 2: An explanation of the provisions that are to be included in the proposed LEP
- Part 3: The justification for the planning proposal and the process for the implementation
- Part 4: Mapping
- Part 5 - Details of community consultation that is to be undertaken for the planning proposal
- Part 6 – Project timeline

Discussion for each of the above Parts is outlined below.

4.1. Part 1 - Objectives and Intended Outcomes

4.1.1. Objectives of the Planning Proposal

The objectives and intended outcomes of the Planning Proposal are:

1. To improve the interface between the industrial and residential zones
2. To improve the separation between industrial and residential traffic on Pavesi Street
3. To increase housing supply and housing mix close to employment

4.2. Part 2 – Explanation of Provisions

It is intended to achieve the objective of this Planning Proposal by:

- Amending the HLEP 2013 Land Zoning Map LZN_006 to change the zoning of the Site from IN2 Light Industry to R2 Low Density Residential
- Amending the HLEP 2013 Floor Space Ratio Map FSR_006 to include the Site as having a maximum floor space ratio of 0.5:1
- Amending the HLEP 2013 Height of Building Map HOB 006 to identify the Site as having a maximum height of building of 9m
- Amending the HLEP 2013 Lot Size Map LSZ 006 to change the minimum lot size from 1200m² to 450m²

The intended outcome is to enable a development application to be lodged for a residential, torrens title subdivision, consistent with the Concept Master Plan as described below.

Concept Master Plan

A Concept Master Plan (Appendix 5) has been prepared by Form Architects that describes the potential opportunities associated with the redevelopment of the Site. The Concept Master Plan has been prepared based on the findings of the urban design analysis of the Site and its surroundings (see Appendix 6).

It is requested that the Site will be rezoned to accommodate 10 lots, each containing a dual occupancy (total 20 dwellings). This will assist in meeting existing and likely future housing demand within the Cumberland LGA.

The Concept Master Plan process identified the desirability of retaining a two storey built form. The proposal does not anticipate attached dwellings, but attached dual occupancies, each with attached garage. The balance of the Site would accommodate a road to be dedicated to Council and landscaped areas.

The key transport and traffic measures proposed to accommodate the proposed rezoning and future development of the Site are:

- Vehicle access - A single vehicle access point from Pavesi Street
- Car parking - Parking will be provided on site (at a rate consistent with Council's existing development control standards)

A copy of the Concept Master Plan and accompanying Urban Design Report are submitted with this Report at Appendices 5 and 6 respectively.

The subdivision set out in the Concept Master Plan includes the following features:

- Minimum 14m wide road reserve along western boundary (to be dedicated to Council)
- The road reserve will include: a minimum 2.5m wide continuous landscaped strip and high noise wall adjacent to the western boundary; an 8m wide two-way carriageway; and a minimum 3.5m wide verge adjacent to the front boundary of dwellings for services, lighting and 1.2m wide footpath. These figures vary at the front (southern) end of the Site where the road enters the Site and the rear (northern) end where the road widens to create a cul-de-sac, conforming with RMS road design guidelines
- Minimum 225m² site area per dwelling (450m² per dual occupancy/pair of semi-detached dwellings) to satisfy the requirements of Part B, Clause 3.1 C2 of HDCP 2013 that would normally apply to the R3 Medium Density

In addition to the dimensions referred to above, the proposed built form (to be considered at DA stage) will also involve:

- Minimum front setback to dwellings 6m

- Minimum distance 20m between dwellings boundary with IN2 Zone on the western zone boundary
- The proposed road to have rolled kerbs assisting visitor carparks partially in the buffer zone and carriage way.

4.3. Part 3 - Justification of the Proposal

This Part addresses the specific questions which “*must be discussed with reasons explained*”, as set out in Part 3 of the DoP&E publication: *A Guide to Preparing Planning Proposals*. This Part will review the proposed amendments to the HLEP 2013 and addresses specific questions outlined in the Guide, which are separated into Sections A to D.

4.3.1. Section A - Need for the Planning Proposal

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

The Planning Proposal is the result of the abovementioned urban design analysis, and consideration of the relevant State and local strategic planning framework.

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

The Planning Proposal is the best means of achieving the above objectives, for the following reasons:

- The Site has limited suitability for traditional, ongoing industrial uses. The Site is currently only used for storage of rugs. DA 2014/584 to intensify the use of the Site by construction of new and larger industrial buildings was refused by Council on 16 April 2015. The reasons for refusal included amenity impacts on adjoining residential land uses.
- The only way to improve the interface between the industrial and residential zones is by increasing the distance between residential and industrial uses. The only alternative way to increase the separation distance between residences and industrial uses would be to retain the existing industrial zoning and use, but to partially sterilise the Site by placing the buffer zone in the eastern part, where it abuts the residential zone. That would eliminate any industrial use within that buffer zone, which would be an inefficient use of land.
- Further to the last point, there is no other way to increase the vegetation, landscaped character and barrier fencing between the residential uses and industrial uses (if the current industrial zoning is retained), without sterilising the eastern part of the Site.
- The Planning Proposal will result in an increase in the distance between residential dwellings and industrial uses from less than 1m to 20m. The buffer zone will include landscaping and higher acoustic / privacy fencing.

The land in the buffer zone will not be sterilised because it will be used for the access road way to be dedicated to Council, parking spaces and landscaping. An equivalent outcome is not possible for an industrial use, because industrial traffic on the driveway on the eastern side of the Site will adversely affect adjoining residences (as was found to be the case by Council in its Notice of Refusal of DA 2014/584).

- Rezoning of the Site from IN2 Light Industry to R2 Low Density Residential will bring consistency with other parts of the boundary between residential areas and industrial / employment lands.
- Traffic from Pavesi Street will access the Site from the east of the Pavesi Street chicane, therefore ensuring that chicane separates industrial traffic from residential traffic. The lack of separation of industrial traffic from residential traffic to either side of the chicane was a further reason for the refusal of DA 2014/584.
- The Planning Proposal will place downward pressure on cost of living by improving housing affordability and availability. It will support the State government objective of providing homes near to jobs. It will also increase the mix of housing in the locality, which is currently dominated by detached dwelling-houses.

Any alternative means have been considered to be less economically and socially viable for the development and renewal of the Site. Consequently, the current Planning Proposal is the most efficient means to renew the Site.

Is there a net community benefit?

It is considered that there will be a number of benefits to the local community and to the Cumberland LGA. A Net Community Benefit analysis has been undertaken in relation to the rezoning of the Site. To conduct the analysis, the following scenarios were identified:

- The Base Case: The IN2 zoning is retained on the Site and there is no change to existing tenants.
- Alternative 1: Rezoning and Redevelopment. The Site is rezoned as R2 – Low Density Residential to accommodate a residential subdivision of 10 lots with two dual occupancies on each lot (total 20 dwellings).

Potential Benefits of Alternative 1 versus Base Case

Should the Planning Proposal be approved, it would:

- Facilitate the construction of dual occupancy development with 20 new dwellings
- Assist Council achieve its residential targets under A Plan For Growing Sydney 2014

- Add much needed variety to the local housing mix, with a more affordable residential option on smaller lots than the detached housing which predominates in the area
- Increase the supply of housing stock (20 dwellings) immediately proximate to the large Smithfield employment lands
- Provide residential development in a brownfields location, with existing public transport, schools, sportsgrounds and other infrastructure, thereby reducing the requirement for new greenfields infrastructure and services
- Increase the landscaped buffer between residences and industrial zoned land from under 1m to 20m. The interface will include significantly more vegetation and barrier fencing, which will soften the outlook from residences and will provide a greater acoustic barrier
- Change the nature of traffic accessing the Site on the eastern side of the Pavesi Street chicane from industrial traffic to residential traffic, more consistent with the local road network and surrounding residential uses.

Potential Costs of Alternative 1 versus Base Case

In order to provide a balanced assessment of the net community benefit of the proposed rezoning and subsequent residential subdivision of the Site, potential impacts of the proposal will be addressed as follows:

- Traffic – The Traffic and Parking Assessment Report dated October 2016 prepared by Varga Traffic Planning Pty Ltd (Appendix 7) and submitted with this report concludes that the development of the Site for 20 dwellings will be satisfactory in relation to road and intersection capacity implications and there is unlikely to be any need for upgrades to surrounding intersections. Indeed, as noted above, the separation of industrial and residential traffic onto either side of the traffic chicane will be an improved traffic outcome that Council has stated is desirable.
- There will be short term increases in heavy vehicle traffic during the construction phase, however appropriate mitigation measures would be taken.
- There will be short term, adverse impacts on environmental amenity during the construction process, however it is anticipated that appropriate, normal mitigation measures would be taken.
- Loss of industrial lands. It is noted that:
 - There are 714 ha of existing employment lands in the former Holroyd LGA. The Site therefore comprises 1.13 percent of the total employment lands in the former Holroyd LGA.

- There are over 1000 ha of lands zoned for industrial uses in the former Holroyd LGA. The Site therefore comprises less than one percent of the total lands zoned for industrial uses in the former Holroyd LGA.
- As of January 2014 there were 4597.9 ha of zoned employment lands in the West Central Subregion (of which the former Holroyd LGA forms a part). The Site therefore comprises 0.017 percent of the total zoned employment lands in the West Central Subregion.
- As of January 2014 there were 15,328 ha of zoned employment lands in the Sydney Region. The Site therefore comprises 0.005 percent of the total zoned employment lands in the Sydney Region.
- It can therefore be seen that the Planning Proposal will have no meaningful impact on the supply of employment lands in the former Holroyd LGA, the Central West Sub Region or the Sydney Region as a whole.
- While the average job density per hectare of employment lands in the Central West sub-region is 45 jobs per hectare, the Site is currently employing no people. This demonstrates that the current zoning of the Site is not suitable.

4.3.2. Section B - Relationship to strategic planning framework

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

A Plan for Growing Sydney 2014 (The Plan)

The Plan identifies that over the next 20 years, Sydney's population will grow much faster than over the past 20 years. The Plan projects that Sydney will need approximately 664,000 additional homes over the next 20 years. The Plan includes the Government's visions for Sydney and the goals to achieve the vision, as outlined below:

The Government's vision for Sydney is: a strong global city, a great place to live.

To achieve this vision, the Government has set down goals that Sydney will be:

- *a competitive economy with world-class services and transport*
- *a city of housing choice with homes that meet our needs and lifestyles*
- *a great place to live with communities that are strong, healthy and well connected*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources*

The Plan sets out actions that will assist to deliver the goals listed above. Goal 2 of The Plan addresses housing and housing choice, with the directions and actions including accelerating housing supply across Sydney; accelerating urban renewal across Sydney; providing homes closer to jobs and improving housing choice to suit different lifestyles.

Consistent with the Plan, the proposed housing:

- Will deliver new and more diverse housing within the short term and as such will contribute to achieving the housing targets and housing choice
- Will be situated on lots of maximum 450m², with two dwellings on each lot. While consistent with the low density nature of the surrounding neighbourhood, this housing form will nonetheless be significantly more affordable than detached dwelling-houses on lots of approximately 600m² that predominate in the locality
- Will provide new homes in close proximity to existing employment, infrastructure and services. The Planning Proposal will achieve this by locating 20 dwellings immediately adjacent to the large Smithfield employment zone and near public transport as set out above

The Planning Proposal directly contributes to the relevant strategic goals and directions of The Plan as discussed in Table 4 below.

Table 4 | A Plan for Growing Sydney

Goal	Direction	Project Contribution
1. Sydney's competitive economy	1.7 Grow strategic centres – providing more jobs closer to home	The Site is located adjacent to the Smithfield employment lands, within 2.8km of Merrylands Town Centre, 2.8km of Fairfield Town Centre and 5.8km of Parramatta Regional Centre. The Planning Proposal will result in providing more homes proximate to Sydney's Strategic Centres and employment lands. The Planning Proposal will assist to provide more homes near jobs in order to grow those Strategic Centres and employment lands.
2. Sydney's housing choices	The Plan's focus is on providing more housing, with a greater choice of dwelling types in well-serviced locations. This will help meet changing household needs, lifestyle choices, population growth and different household budgets. Residents should be able to age at home, if they wish, live close to families and friends, and travel easily to work, education and social activities. New housing will be supported by local infrastructure and services that reflect the demographic needs of a community.	The Planning Proposal will provide dual occupancies, which will constitute an affordable alternative to the detached dwelling-houses that predominate in the locality. This greater diversity in the dwelling size and configuration will allow a greater proportion of the population, with different household budgets, to reside in the locality. It will also assist the local population to: ▪ Age at home, by being able to live in a dwelling in the locality near to social networks, even if a detached dwelling-house is no longer a suitable residence. ▪ Travel easily to work in the Smithfield employment lands and nearby commercial centres.
	The most suitable areas for significant urban renewal are those areas best connected to employment	The Planning Proposal will provide 20 dwellings in immediate proximity to the Smithfield employment lands.
	2.1 Accelerate housing supply across Sydney 2.1.1 Accelerate housing supply and local housing choices	The Plan recognises that <i>providing more housing and different types of housing as the population grows reduces the pressure on rising house prices.</i> The Planning Proposal will provide dual occupancies, which will constitute an

Goal	Direction	Project Contribution
		affordable alternative to the detached dwelling-houses that predominate in the locality. The proposal allows for possible dual occupancy dwellings which will both increase local housing choice and (as those dwellings are smaller than the average in the area), provide downward pressure on housing prices. The Plan identifies that the most suitable areas for significant urban renewal are those areas best connected to employment The proposal expands the housing supply within walkable distance to express bus routes with direct links to strategic centres (the Transitway links to Parramatta and Liverpool), in addition to the immediate proximity to the Smithfield employment area. The Plan also notes that all suburbs of Sydney will need additional housing over the next 20 years and the proposal will assist Cumberland Council to achieve its housing targets for that period.
	2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs.	The Planning Proposal will provide 20 new dwellings immediately proximate to the Smithfield employment lands and nearby commercial centres.
	2.3 Improve housing choice to suit different needs and lifestyles	The Plan states that the fastest growing households in Sydney are single person households. As the population ages, many people choose to downsize their homes, but prefer to remain in their communities. The Plan states: <i>Research indicates a current shortage of semi-detached houses across Sydney and a shortage of apartments in the middle and outer areas of the city. This is affecting the capacity of people to buy or rent a home.</i> The Proposal responds to the changing demographics and will deliver semi-detached dwellings that are being demanded by the market, to suit different needs and lifestyles of future residents.
	2.3.3 Deliver more opportunities for affordable housing	The proposal provides dual occupancy dwellings which will (as those dwellings are

Goal	Direction	Project Contribution
		smaller than the average in the area), provide downward pressure on housing prices.
4. Sydney's sustainable and resilient environment	4.3 Manage the impacts of development on the environment	The consultant reports attached to this Report indicate that the proposed residential development can take place while managing possible flooding, contamination, traffic and risk.
Sydney's Subregions – West Central Subregion	Accelerate housing supply, choice and affordability and build great places to live	The proposal provides dual occupancies, which will constitute an affordable alternative to the detached dwelling-houses that predominate in the locality. The proposed residential development will provide quality housing in a well landscaped setting, in close proximity to employment, local parks, schools and retail centres.

The above Table demonstrates that the Planning Proposal achieves all of the most pertinent objectives of the Plan.

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Holroyd Residential Development Strategy 2012 (HRDS 2012)

The HRDS 2012 states:

..the following principles have been established to guide residential development in the City of Holroyd:

- *Social well-being is promoted through the creation of liveable neighbourhoods – places that are safe, pleasant, healthy, accessible and functional.*
- *Future development is responsive to its environmental context, including urban character, visual & scenic quality, land form and land capability, and contributes positively to its context through quality built form and design elements.*

The Planning Proposal will achieve the above principles because:

- It will increase the interface distance between residences to industrial zoned land from under 1m to 20m. The interface will include significantly more vegetation and barrier fencing which will soften the outlook from residences and will provide a greater acoustic barrier. The buffer zone will therefore contribute to the provision of a liveable neighbourhood.

- Industrial traffic will be confined to the western side of the Pavesi Street chicane, thereby improving the safety and amenity of residences to the east of the chicane.
- The proposed housing will adopt the low density form of existing housing in the locality.
- It will result in providing more homes proximate to Sydney's Strategic Centres (2.8km to Merrylands Town Centre, 2.8km to Fairfield Town Centre and 5.8km to Parramatta Regional Centre) and employment lands.

The Planning Proposal will therefore provide a liveable residential area which is responsive to its environmental context.

Is the planning proposal consistent with applicable state environmental planning policies?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified in Table 5 below.

Table 5 | State Environmental Planning Policy

Policy	Policy objectives and controls	Compliance
SEPP 32 – Urban Consolidation (redevelopment of Urban Land)	While SEPP 32 is expressed to apply to multi – unit housing (which does not include low density dual occupancies such as those proposed), many of the SEPP aims and objectives can be validly applied to the Planning Proposal. Those aims and objectives include: (a) to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development (b) to implement a policy of urban consolidation which will promote the social and	The Planning Proposal is an example of urban renewal and provides for a residential use on the Site. While the average job density per hectare of employment lands in the Central West sub-region is 45 jobs per hectare, the Site is currently employing no people. This demonstrates that the current zoning of the Site is not suitable and its rezoning for residential use will promote the orderly and economic use and development of land. The Planning Proposal will result in housing near existing infrastructure which will therefore reduce the rate at which land is released for development on the fringe of

Policy	Policy objectives and controls	Compliance
	economic welfare of the State and a better environment by enabling: (i) the location of housing in areas where there are existing public infrastructure, transport and community facilities (ii) increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities and (iii) the reduction in the rate at which land is released for development on the fringe of existing urban areas	existing urban areas. The housing will be proximate to existing public transport (particularly the Liverpool – Parramatta T-Way, which provides express, high frequency bus access to the major regional centres of Parramatta and Liverpool), sporting and park lands, employment and local commercial centres.
SEPP 55 Remediation of Land	SEPP 55 requires a planning authority to consider whether land is contaminated, and if so whether it is, or can be made, suitable for the proposed use.	A detailed Contamination Report prepared by Environmental Investigations Australia (Appendix 8) found that given the history of uses at the Site, some potential contamination of the Site exists. The Site can however be made suitable for low density residential purposes, subject to implementation of a suite of measures set out in the Report.
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency.	The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the development application stage.

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes, the proposal is consistent with the relevant Section 117 Directions – 3.1 Residential zones as discussed in Table 6 below.

Table 6 | Relevant Section 117 Directions

Direction	Comment
1.1 Business and Industrial Zones	
1.1 (1)(b) – objective to protect employment land in business and industrial zones 1.2 1.1 (4)(b) – planning proposal must retain the areas and locations of existing business and industrial zones	While the average job density per hectare of employment lands in the Central West sub-region is 45 jobs per hectare, the Site is currently employing no people. This demonstrates that the current zoning of the Site is not suitable and its rezoning for residential use will promote the orderly and economic use and development of land
3. Housing Infrastructure and Urban Development	
3.1 Residential Zones	
3.1(4) - Planning proposals must include provisions that encourage the provision of housing that will: ▪ Broaden the choice of housing types to meet housing needs ▪ Make more efficient use of existing infrastructure and services ▪ Reduce the consumption of land for housing and associated	▪ The proposed dual occupancies will provide an affordable alternative to the predominantly detached dwelling-houses that predominate in the locality. This will broaden the choice of housing types in the locality ▪ The proposed housing will be more affordable due to the higher density achieved by provision of dual occupancies ▪ The proposed development will provide housing in close proximity to the employment lands in Smithfield. The Holroyd Economic Development Strategy 2014 states that manufacturing generates approximately one quarter of all employment land in the former Holroyd LGA, making it by far the largest employment category. It is therefore desirable to locate

Direction	Comment
urban development on the urban fringe ▪ Be of good design	housing in proximity to the employment lands, to minimise demands on the transport infrastructure. The Planning Proposal will make more efficient use of existing transport infrastructure and services ▪ Allocating housing (20 dwellings) to an in-fill site will reduce the demand for housing and associated development on the urban fringe ▪ The proposed housing will provide quality housing in a landscaped setting with appropriate setbacks from the industrial zoned land to the west
3.3 Home Occupations	Home businesses are permissible within the R2 zone.
3.4 Integrating Land Use and Transport	
The objectives of this Direction are as follows: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and	The Planning Proposal achieves these objectives because: ▪ It will provide housing in close proximity to the employment lands in Smithfield. The Holroyd Economic Development Strategy 2014 states that manufacturing generates approximately one quarter of all employment land in the former Holroyd LGA, making it by far the largest employment category. It is therefore desirable to locate housing in proximity to the employment lands, to minimise demands on the transport infrastructure. The Planning Proposal will facilitate shorter trips to work within the employment lands and will encourage travel by walking and cycling. ▪ The proposal expands the housing supply within walkable distance from bus routes with direct links to strategic centres (especially the T-Way express, high frequency bus links to Parramatta and Liverpool). This will support the efficient and viable operation of the relevant public transport services.

Direction	Comment
(e) providing for the efficient movement of freight.	By separating residential and industrial traffic on to either side of the Pavesi Street chicane, the proposal will assist the efficient moving of freight.
4 Hazard and Risk	
4.1 Acid Sulphate Soils	
4.1 (6) – A planning proposal must not propose an intensification of land uses on land identified as having a probability of containing acid sulfate soils without appropriate studies	The HLEP 2013 indicates that the Site does not contain acid sulphate soils.
4.3 Flood Prone Land	
Objective 1 (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	The Flood Assessment Report dated February 2016 prepared by SGC Consultants Pty Ltd (Appendix 9) states: <i>The flood impact map shows that the proposed development does not have an adverse impact on flooding upstream and downstream of the site. The proposed finished levels across the site with the exception of the dwellings will be similar to the existing levels on site. No filling that will obstruct the overland flow should be proposed.</i> <i>The Flood Planning Level (FPL) recommended in the NSW Floodplain Development Manual (2005) is 0.5m above the calculated 100-year ARI flood level across the site. The floor levels have been raised to incorporate this requirement.</i> The proposal will therefore be consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and will satisfactorily address potential flood impacts both on and off the subject land.

Direction	Comment
5 Regional Planning	
5.1 Implementation of Regional Strategies	<i>A Plan for Growing Sydney</i> (December 2014) identifies that the NSW Government is currently working with local councils to prepare subregional plans for Sydney's six subregions. The former Holroyd LGA is identified within the West Central Subregion. The Planning Proposal is consistent with the following priorities for the Subregion: - Accelerate housing supply, choice and affordability and build great places to live. The proposed dual occupancies will provide an affordable alternative to the predominantly detached dwelling-houses that predominate in the locality. This will broaden the choice of housing types in the locality. - Protect the natural environment and promote its sustainability and resilience. The Planning Proposal will not adversely affect the natural environment in terms of contamination (see Appendix 8), flooding (see Appendix 9), traffic and parking (see Appendix 7), heritage (see Appendix 14), acoustic impacts on neighboring properties (see Appendix 13), visual privacy, overshadowing or visual bulk. Indeed, it will lead to improved environmental outcomes for existing residential properties to the east of the Site (compared with the existing industrial use). - A competitive economy – the Planning Proposal will not involve the rezoning of land with high employment potential, but will facilitate the provision of housing in close proximity to employment, thereby supporting the Smithfield employment lands as a whole.

4.3.3. Section C - Environmental, social and economic impact.

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Site is located within an established urban environment and comprises land that has been previously developed. There are no known critical habitats, threatened species or ecological communities within the Site and therefore the likelihood of any negative ecological impacts are minimal.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Site investigations have confirmed that the Site is free of major constraints and that there are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development.

The key findings of these preliminary investigations are provided below:

Heritage

To the immediate north of the Site is the State Heritage Item I01629, which is described as “*pipehead, water supply canal and associated works*”. This is the Sydney Water pipeline leading from Prospect Reservoir. The Heritage Impact Statement (Appendix 14) states:

The proposal is to replace an existing industrial development and does not have any material impact on the setting of the pipeline corridor, completed in 1958, or its interpretive value as an element of a major part of the water supply infrastructure serving Sydney since the 1880s.

Flooding

The Site is subject to flooding as set out in the Flood Assessment Report (Appendix 9). That Report states:

The flood impact map shows that the proposed development does not have an adverse impact on flooding upstream and downstream of the site. The proposed finished levels across the site with the exception of the dwellings will be similar to the existing levels on site. No filling that will obstruct the overland flow should be proposed.

The Flood Planning Level (FPL) recommended in the NSW Floodplain Development Manual (2005) is 0.5m above the calculated 100-year ARI flood level across the site. The floor levels have been raised to incorporate this requirement.

The proposal will therefore satisfactorily address flooding issues both on and off the Site.

Contamination

The Contamination Investigation Report dated 20 January 2016 prepared by Environmental Investigations Australia (Appendix 8) concludes that its detailed site investigation identified some contamination on site. The Site can however be made suitable for low density residential purposes, subject to implementation of a suite of measures including:

- Carrying out a Hazardous Materials Survey prior to demolition of existing structures
- Preparation and implementation of a Remedial Action Plan addressing remediation requirements for soil and ground water contamination
- Preparation of a validation report certifying site suitability

Salinity

The Site is indicated in the HLEP 2013 maps as having moderate salinity potential.

Risk

The Risk Assessment Report dated 23 December 2015 prepared by Scott Lister (Appendix 11) states that *rezoning of the land should not be precluded on the basis of hazard and risk from neighbouring industrial facilities.*

Vegetation

The Site contains trees as detailed in the Arboricultural Impact Assessment Report dated October 2015 prepared by Redgum Horticultural (Appendix 12). That Report indicates which trees are to be removed in order to allow the Planning Proposal to proceed and confirms that those trees can be removed.

Traffic and parking

Traffic and Parking Assessment Report dated October 2016 prepared by Varga Traffic Planning Pty Ltd (Appendix 7) states:

(the) projected increase in traffic activity as a consequence of the subdivision proposal is minimal and will clearly not have any unacceptable traffic implications in terms of road network capacity or traffic-related environmental effects.

In respect to provision of car parking, the Report states:

the future off-street parking requirements of the subdivision will be subject to separate development applications however there are not expected to be any unacceptable parking implications.

Acoustic Impacts

The Acoustic Assessment Report dated 17 October 2016 prepared by Acouras Consultancy (Appendix 13) states:

Providing the recommendations in this report are implemented, the noise from and to the proposed development is predicted to comply with acoustic requirements of the Holroyd DCP, BCA Part F5 and relevant Australian standards.

Urban Design

The Urban Design Report (Appendix 6) states:

The urban design impacts of the proposed transition of the property from IN2 Industrial to R2 Residential has been assessed in the context of the desired separation of industrial and residential precincts and against the objectives and provisions in relation to Holroyd LEP 2013 and Holroyd DCP 2013. The proposal complies with the relevant statutory policy documents.

Overall, the evidence is that the Site will not result in any significant environmental impact that would preclude it from being rezoned and redeveloped for low density residential use.

How has the planning proposal adequately addressed any social and economic effects?

Social and economic effects associated with the proposed rezoning and subdivision of the Site for low density residential development purposes have been addressed within this Planning Proposal Report and in the Social Impact Assessment dated October 2016 prepared by Willana Associates (Appendix 15).

Several positive social outcomes would result from the Planning Proposal, including:

- The proposal represents an opportunity for Council to facilitate the creation of an appropriate mix of residential dwelling types, which will increase housing affordability and choice in a location in close proximity to employment and public transport options.
- Facilitating redevelopment of the Site that is currently underutilised and ensuring high quality design that will minimise impacts on surrounding properties, is more consistent with development to the east, south and north of the Site and is environmentally sustainable development.

Potential adverse social, economic and environmental impacts of the Planning Proposal have been addressed and are considered manageable.

The Economic Impact Assessment dated 20 October 2016 prepared by Colliers International (Appendix 16) confirms that

... the usefulness of the subject site from an industrial and employment perspective has been completely extinguished and eradicated.

The subject site was on the market for two years, and numerous development applications for permissible uses including a mosque and industrial complex were refused by Council due to potential negative economic, environmental and amenity impacts that these uses would render on existing (adjoining) residential

townhouses and homes. Overall, it was considered that the proposed uses would undermine or detract from the value of adjoining residential lands. Therefore, while already compromised by the traffic control device, the refusal of these development applications for permissible uses presents as confirmation that the site's worth as an industrial going-concern has been permanently undermined.

A summary of the economic justification to support the rezoning of the Site from industrial to residential is therefore:

- New industrial buildings at this Site in the medium to long term are not likely given the constraints on the Site for traffic and constraints caused by the interface with residential areas.
- The current industrial use of the Site is no longer viable requiring consideration of land uses aligned to economic and strategic objectives. The best use of the land is low density residential development permitting dual occupancies, which is compatible with existing and future surrounding land uses.

4.3.4. Section D - State and Commonwealth interests.

Is there adequate public infrastructure for the planning proposal?

The Site is well serviced by all public utility services including:

- Electricity
- Water
- Sewer
- Telephone and internet service
- Public transport

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

A pre-lodgment meeting was held with Council on 19 August 2015. Written advice was provided by Council on 28 May 2015 (Appendix 2) and 2 November 2015 (Appendix 3). Comments by Council were noted and have been taken into consideration in the preparation of the design concept for the redevelopment of the Site.

On 10 August 2016 the CIHAP recommended that Council proceed with the Planning Proposal subject to the following conditions:

2. *That a revised concept be provided prior to public exhibition, incorporating the following:*
 - *Revised road design that ensures service vehicles can move safely along the entire length of the road*

- *Revised turning arrangement for service vehicles, located at the end of the road*
 - *A minimum lot size of 450m²*
3. *That, prior to public exhibition, the revised road design be reported to Council's Traffic Committee along with the proposal to dedicate the new road to Council, for the committee's consideration.*

On 7 September 2016 Council's Administrator determined that:

- *Council receive the minutes of the CIHAP report C015/06 and adopt the recommendations as resolved by the CIHAP.*
- *The revised concept incorporate site-specific controls that establish the location and dimensions of the road within a 20m buffer between new residential dwellings and the boundary with the industrial zone, including a minimum physical separation/vegetation buffer between the proposed road and property/zone boundary.*

The Planning Proposal has been amended to comply with the conditions imposed by Council as described above.

4.4. Part 4 - Mapping

The Urban Design Report provides design context and rationale for the approach to establishing the proposed controls and planning maps (see Appendix 6). This section provides information on maps that support the proposed rezoning.

The land subject to the planning proposal is shown in Figure 1.

The Site is currently zoned IN2 – Light Industrial under the provisions of the HLEP 2013. An outline of the key controls under the HLEP 2013 and the key controls proposed are provided in Table 7 below:

Table 7 | Current and Proposed Key Planning Controls

	Current	Proposed
Land Use Zoning	IN2 Light Industrial	R2 Low Density Residential
Floor Space Ratio	N/A	0.5:1
Height of Building	N/A	9m
Minimum lot size	1200m ²	450m ²

The following maps have been drafted, which relate specifically to the HLEP 2013:

- Land Zoning Map
- Floor Space Ratio Map

- Height of Building Map
- Lot Size Map

Figure 4 | Existing Zoning Map



Figure 5 | Proposed Zoning Map



Figure 6 | Existing Height of Buildings Map



Figure 7 | Proposed Height of Buildings Map



Figure 8 | Existing Floor Space Ratio Map



Figure 9 | Proposed Floor Space Ratio Map



Figure 10 | Existing Minimum Lot Size Map



Figure 11 | Proposed Minimum Lot Size Map



4.5. Part 5 - Community Consultation

The relevant planning authority is required to consult with the community in accordance with the gateway determination as required under Clause 57 of the Environmental Planning and Assessment Act 1979. It is expected that the Planning Proposal will be required to be publicly exhibited for 14 days in accordance with the requirements of the NSW Department of Planning and Infrastructure (now the DoP&E) guidelines *A Guide to Preparing Local Environmental Plans*.

The specific process of the community consultation to be undertaken will be determined by Cumberland Council as the Relevant Planning Authority, however, it is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper(s)
- Advertising of the Planning Proposal on the Cumberland Council website
- Written correspondence to adjoining and surrounding landowners
- Publicly exhibiting the gateway determination and Planning Proposal at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

The Applicant would be available to liaise further with Council to identify appropriate opportunities to further engage with the local community outside the formal public exhibition process to provide a greater understanding of additional issues that are relevant to the local community.

4.6. Part 6 - Project Timeline

The anticipated timeline for completion of the Planning Proposal if approved in a Gateway Determination is expected to be seven (7) months from that point. This can change if there is a request for a review of the Gateway Determination or of the requirements imposed by the Gateway Determination, by Council or the landowners/ proponents.

The estimated project timeline below is therefore post – Gateway for the Planning Proposal or in other words the timeline if no Gateway review is sought or after the completion of such a review of one is requested and granted.

Table 8 | Project Timeline

Project Milestones	By Day No.
Gateway Determination (assume 1 st day of calendar month)	1
Report to Council on Gateway and determination review request	15
Completion of technical and supporting studies	45
Assessment of technical and supporting studies	60
Requirement of/ or addition to technical information	60
Pre-exhibition Government agency consultation	90
Complete full Planning Proposal and supporting documents	104
Commencement and completion of public exhibition period	134
Allowance for public hearing	164
Consideration of submissions will overlay with allowance for public hearing	194
Report to Council on Final Public Planning Proposal and delegate making of LEP amendment to General Manager	209
Legal drafting of plan by Council and Parliamentary Counsel's Office	214

5. conclusion

The Planning Proposal Report has been prepared in accordance with Section 55 of the EP&A Act and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure (now the DoP&E) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It sets out the justification for the proposed rezoning of the Site at 37-39 Pavesi Street, Smithfield to allow for low density residential development under the provisions of a site specific amending LEP.

The Concept Master Plan accompanying the Planning Proposal has been informed by a detailed site analysis. As a result, the proposed LEP built form and zone change will be capable of facilitating an appropriate development outcome for the following reasons:

- Local context: The Planning Proposal achieves an appropriate built form and scale outcome having regard to the size of the land, the proximity of the Site to public transport, educational facilities, shops and services and the scale of surrounding development.
- The Planning Proposal will result in a residential development providing an accommodation type which will contribute to housing affordability and choice within the Cumberland Local Government Area.
- The Planning Proposal will improve the interface between industrial and residential zones.
- Strategic context: The Planning Proposal will positively contribute to the State planning strategic goals of providing housing opportunities in close proximity to employment.

Overall, it is considered that the Planning Proposal is satisfactory and it is requested that Cumberland Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.