

Holroyd Local Environmental Plan 2013 - Bonds Spinning Mills Site, Pendle Hill

Proposal Title : **Holroyd Local Environmental Plan 2013 - Bonds Spinning Mills Site, Pendle Hill**

Proposal Summary : **The proposal seeks amendments to Holroyd Local Environmental Plan 2013 to rezone the Bonds Spinning Mills site at 190 to 220 Dunmore Street, Pendle Hill from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation to enable redevelopment of specific components for residential and commercial purposes.**

PP Number : **PP_2016_HOLRO_007_00** Dop File No : **16/07749**

Proposal Details

Date Planning Proposal Received : **27-May-2016** LGA covered : **Holroyd**

Region : **Metro(Parra)** RPA : **Holroyd City Council**

State Electorate : **SMITHFIELD** Section of the Act : **55 - Planning Proposal**

LEP Type : **Precinct**

Location Details

Street : **190-220 Dunmore Street**

Suburb : **Pendle Hill** City : Postcode :

Land Parcel : **Lot 1, DP735207**

DoP Planning Officer Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601579**

Contact Email : **Terry.Doran@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Heidi Bischof**

Contact Number : **98409661**

Contact Email : **Heidi.Bischof@holroyd.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601579**

Contact Email : **Terry.Doran@planning.nsw.gov.au**

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : **Metro West Central subregion** Consistent with Strategy : **Yes**

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	1,500
Gross Floor Area :	0	No of Jobs Created :	328

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
 If No, comment :

Have there been meetings or communications with registered lobbyists? **No**

If Yes, comment : **The proponent attended meeting with Departmental staff in relation to this matter on Monday 6 June 2016.**

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Introduction:

The proposal seeks amendments to Holroyd Local Environmental Plan 2013 to rezone the Bonds Spinning Mills site at 190-220 Dunmore Street, Pendle Hill from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation to enable redevelopment of the site for residential and commercial purposes.

A summary of the process is provided, as follows:

A Gateway determination to rezone the Bonds Spinning Mills site to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation was previously issued on 23 February 2015. This proposal provides for approximately 1,300 dwellings together with approximately 6,000 sq.m. of commercial uses, and allows building heights up to 12 storeys.

PROPONENT'S REVISED PROPOSAL - NOVEMBER 2015

A revised rezoning request based on a new development concept was submitted to Council on 10 November 2015. This revised proposal sought a dwelling yield of approximately 1,600, with FSRs ranging from 0.7:1 to 2.4:1 and building heights ranging between 12.5m (3 storeys) and 38m (12 storeys).

Council's strategic merit assessment of the proposal indicated a number of concerns regarding the proposed density and height controls. As such a second option was put forward to Council for consideration on 19 April 2016.

OPTIONS CONSIDERED BY HOLROYD CITY COUNCIL - 19 APRIL 2016

The Report considered by Holroyd Council on 19 April 2016 considered two alternative revised proposals for the site, termed "Option 1" and "Option 2"

"OPTION 1" (approx. 1,600 dwellings) represents the planning proposal request as submitted by the proponent. This includes:

- i) maximum building heights of 12.5m and 20m (approx. 3-6 storeys) between Dunmore Street and the proposed park, 38m (approx. 12 storeys) in the centre of the site, and 24m (approx. 8 storeys) for the remainder of the

- southern part of the site, including along the southern boundary; and
- ii) maximum floor space ratio of 0.7:1 for the B2 business zone, 1.3:1 for the northern R4 residential of the site and 2.4:1 for the southern R4 residential zoned part of the site.

"OPTION 2" (approx. 1,500 dwellings) represents the recommended alternative provided in Council's Environmental and Planning Services Team Report. This comprises:

- i) maximum building heights of 14m (approx. 3-4 storeys) between Dunmore Street and the proposed park, 39m (adjusted to ADG heights for approx. 12 storeys) in the centre of the site, 15m (approx. 4 storeys) along the southern boundary, and 27m (adjusted to ADG heights for approx. 8 storeys) for the remainder of the southern part of the site; and
- ii) maximum floor space ratio of 0.7:1 for the B2 business zone, 1.2:1 for the northern R4 residential zoned part of the site and 2.3:1 for the southern R4 residential zoned part of the site.

COUNCIL RESOLUTION OF 19 APRIL 2016

Following consideration of the Council report, and representations from members of the public, Council resolved as follows:

- i) Council proceed with preparing a revised planning proposal for the Bonds Spinning Mills site, which rezones the site for R4 High Density Residential, B2 Local Centre and RE1 Public Recreation as per the land use zoning map in Attachment 3 to the report.
- ii) In relation to maximum building height and FSR development standards for the planning proposal, Council resolve in accordance with Option 2 in Attachment 3, to read as follows:
 - "i) maximum building heights of 14m (approx. 3-4 storeys) between Dunmore Street and the proposed park, 39m (adjusted to ADG heights for approx. 12 storeys) in the centre of the site, 12.5m (approx. 3 storeys) along the southern boundary, and 27m (adjusted to ADG heights for approx. 8 storeys) for the remainder of the southern part of the site; and
 - ii) maximum floor space ratio of 0.7:1 for the B2 business zone, 1.2:1 for the northern R4 residential zoned part of the site and 1.9:1 for the southern R4 residential zoned part of the site calculated at approximately 1,260 dwellings."

PLANNING PROPOSAL SUBMITTED BY COUNCIL - 24 MAY 2016

The revised Planning Proposal, as submitted in accordance with Council's resolution of 19 April 2016, seeks to rezone the Bonds Spinning Mills site from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation, including:

- (i) maximum building heights of 14m (approx. 3-4 storeys) between Dunmore Street and the proposed park, 39m (adjusted to ADG heights for approx. 12 storeys) in the centre of the site, 12.5m (approx. 3 storeys) along the southern boundary and 27m (adjusted to ADG heights for approx. 8 storeys) for the remainder of the southern part of the site; and
- (ii) maximum floor space ratios of 0.7:1 for the B2 business zone, 1.2:1 for the northern R4 residential zoned part of the site and 1.9:1 for the southern R4 residential zoned part of the site.

DEPARTMENT COMMENT

1. Given the nature and extent of the changes to the proposal, including amended height and FSR maps, it is recommended that a new Gateway determination be issued.
2. The proposal is supported, as submitted, subject to the removal of the proposed FSR of 1.9:1 applying to the southern portion of the site and the imposition of an FSR of 2.3:1 to that portion.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The Planning Proposal aims to:

- * enable redevelopment of land in close proximity to the existing Pendle Hill centre and railway station for high density housing, with supporting community and neighbourhood commercial uses and public open space;
- * acknowledge and 'celebrate' the important contribution of Bonds Spinning Mills to the history and development of Pendle Hill and its community; and
- * make a positive contribution to the Pendle Hill locality by providing a quality integrated urban design solution that respects the existing built form and natural features of the site and surrounding neighbourhood.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The proposed outcomes are intended to be achieved by:

*Amending the Holroyd LEP 2013 Land Zoning Map to provide the following zones within the site:

- o R4 High Density Residential
- o B2 Local Centre
- o RE1 Public Recreation

*Amending the Holroyd LEP 2013 Floor Space Ratio Map to provide the following maximum floor space ratios within the site:

- o 0.7:1 (B2 zone)
- o 1.2:1 (R4 zone within heritage precinct)
- o 1.9:1 (R4 zone south of heritage precinct)

*Amending the Holroyd LEP 2013 Height of Buildings Map to provide the following maximum building heights within the site:

- o 14m (4 storeys) in the front (northern) portion of the site
- o 39m (12 storeys) in the central portion of the site
- o 27m (8 storeys) predominantly surrounding the 12 storey component and
- o 12.5m (3 storeys) along the southern & south-western boundaries

*Amending the Holroyd LEP 2013 Lot Size Map to provide minimum lot size of 900m² in the proposed R4 and B2 zones, and no minimum lot size in the RE1 zone.

It is considered that the proposals adequately explains the intended provisions.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

e) List any other matters that need to be considered :

SECTION 117 DIRECTIONS

The planning proposal is consistent with relevant Section 117 Directions, with the exception Of the following:

SECTION 117 DIRECTION 1.1 BUSINESS AND INDUSTRIAL ZONES

This Direction requires that the areas and locations of existing industrial zones be retained and the total potential floor space area for industrial uses in industrial zones not be reduced, unless justified by a regional or sub-regional strategy prepared by the Department.

Council note that the site was identified in the Draft West Central Subregional Strategy as being suitable for alternative uses if existing operations cease, which is the case. The proposed rezoning is also expected to generate approximately 328 jobs on the site post-construction, through provision of 6,000sqm of commercial floor space.

The proposal is inconsistent with this Direction as it relies on the draft strategy.

While the strategy is in draft form, it is recommended this inconsistency is of minor significance.

SECTION 117 DIRECTION 2.3 HERITAGE CONSERVATION

There are four buildings within the site that are listed as local heritage items. The conservation management plan and heritage assessment prepared by GML Heritage Consultants identifies three buildings of exceptional significance and six buildings of high significance.

A draft conservation management plan (CMP) has been prepared, which includes an assessment of heritage significance for all of the buildings, items and moveable objects remaining within the site. Development guidelines, supporting the revised proposal, are now included in the CMP and an accompanying draft development control plan. Six (6) buildings are now proposed for retention.

Consideration remains as to whether any buildings require State heritage listing or whether any additional buildings should be recognised as having local heritage significance.

It is accordingly recommend that, as a determination condition, Council consults with the Office of Environment and Heritage regarding the heritage significance of buildings, conservation management plan and heritage assessment, prior to exhibition. In doing so, Council is to address any comments and include the response of the public agency with the exhibition material.

Council is to subsequently address consistency with the Direction, post exhibition. This matter is addressed in the covering letter.

SECTION 117 DIRECTION 3.1 RESIDENTIAL ZONES

The objectives of this direction are:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- (c) to minimise the impact of residential development on the environment and resource lands.

The Proposal is consistent with the objectives of this Direction as it broadens the choice of building types and locations available, makes more efficient use of existing infrastructure and services and will reduce the consumption of land for housing and associated urban development on the urban fringe.

However, Clause (5)(a) of this Direction specifies that a planning proposal to create a residential zone must contain a requirement that residential development is not permitted until land is adequately serviced, or arrangements satisfactory to the Council (or other appropriate authority) have been made to service it.

The revised proposal is accompanied by "Servicing Maps" and a "Servicing Strategy Letter" prepared by AT&L Civil Engineers and Project Managers, which states that: "Based on our preliminary investigations it is fully anticipated that the existing services will be sufficient to accommodate the renewal of the site for the purpose of residential development albeit with upgrades to existing services to bring them up to current standards. Further consultation with public infrastructure authorities will be carried out during development applications for the site to determine the extent of these upgrades as is standard industry practice".

While this advice is noted, it is considered that Council should further address this issue and demonstrate that the land can be adequately serviced or that arrangements have been made in accordance with s117 Direction 3.1 Residential Zones.

This matter is addressed in a determination condition.

SECTION 117 DIRECTION 4.3 FLOOD PRONE LAND

The objectives of this direction are:

- (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.

The subject site has been identified as a partly flood control lot. The Flood Statement (letter of advice dated 3 August 2015) prepared by Uber Engineering indicates that the flood affected areas are within the Dunmore Street frontage and partly along boundary of the site facing Jones Street. The extent of flooding within the subject site is advised as very minimal. The letter of advice also indicates that "it is unlikely that the proposed concept master plan will have an adverse impact on flooding, suitable mitigation strategies can be utilised during detail DA design process".

Accordingly, it is recommended that the Secretary's delegate agree that the inconsistency is of minor significance.

SECTION 117 DIRECTION 6.2 RESERVING LAND FOR PUBLIC PURPOSES

The planning proposal would create a new 0.53 ha public park within the site which would be zoned RE1 Public Recreation. It is proposed that the dedication of this land will be effected through a voluntary planning agreement between Council and the developer. A draft heads of agreement - planning agreement between the Council and the developer has been prepared.

In accordance with the Direction, the approval of the Secretary, or her delegate is recommended.

STRATEGIC FRAMEWORK

DIRECTION 7.1 IMPLEMENTATION OF A PLAN FOR GROWING SYDNEY

EP&A Act Section 75A(1) Implementation of strategic plans Section 75A(2) states that, in preparing a planning proposal under section 55, the relevant planning authority is to give effect:

- (a) to any district plan applying to the local government area to which the planning proposal relates (including any adjoining local government area),
or

(b) if there is no district plan applying to the local government area—to any regional plan applying to the region in respect of which the local government area is part.

There is no district plan currently applicable to the subject land, and, under Section 75AE(3), A Plan for Growing Sydney is taken to be the regional plan for the Greater Sydney Region.

The proposal is considered consistent with A Plan for Growing Sydney as the proposal seeks to provide appropriate development at this location.

STATE ENVIRONMENTAL PLANNING POLICIES

Consistent with the exception of the following:

STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND (SEPP 55)

The site has previously been identified as contaminated. Therefore, it can only be rezoned for residential purposes if the planning authority is satisfied that the land is suitable in its contaminated state or will be suitable after remediation.

It is noted that Council previously advised that compliance with SEPP55 had "been achieved", although the Phase 2 Environmental Site Assessment states that "contaminant concentrations are generally within acceptable limits for a residential setting, with the exception of some areas."

The assessment does not specifically indicate whether the nature or extent of contamination can be satisfactorily remediated to enable the site to be suitable for residential use.

Consequently, it is recommended that the assessment be updated to address this requirement and section 2.3.2 of the planning proposal updated to provide further detail demonstrating consistency with SEPP 55, prior to public consultation.

A suitable determination condition is recommended.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment : Council has resolved that the proposal be exhibited for a period of 42 days. This is a longer period than required, although there is significant community interest in the site.

Council determined to conduct an extensive community consultation process, that along with formal exhibition, includes community information sessions, an open day/site tour, and a public hearing.

It is recommended that the planning proposal be exhibited for 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Principal LEP was made in 2013.**

Assessment Criteria

Need for planning proposal :

The rezoning of the Bonds Spinning Mills site is identified in Council's residential development strategy and has also been the subject of several Council reports.

Rezoning of the site was first considered as a submission to the draft principal LEP. It was decided that it should retain the industrial zoning and that a site specific rezoning application could be considered separately.

A Gateway determination to allow residential development and building heights up to 12 storeys on the Bonds Spinning Mills Site was previously issued on 23 February 2015.

A revised planning proposal lodged with Council by the proponent in November 2015 (OPTION 1) sought a dwelling yield of approximately 1,600, with FSRs ranging from 0.7:1 to 2.4:1 and building heights ranging between 12.5m (3 storeys) and 38m (12 storeys).

Council's strategic merit assessment of the revised proposal of November 2015 indicated a number of concerns regarding the proposed density and height controls and, as such, a second option (OPTION 2) was put forward to Council.

This option has been advocated as it provided more certainty regarding building heights in two key locations, being:

- . along the southern boundary adjacent to the R2 Low Density Residential zone;**
- and**
- . along the northern edge of the public park.**

It also provided for a slightly lower density of 1,500 dwellings, which the strategic assessment supports as more appropriate for the site. The two options were reported to Council on 19 April 2016.

Council subsequently endorsed a variation of Option 2 to provide a potential dwelling yield of approximately 1,300.

The variant of Option 2 was formerly forwarded for Gateway determination on 24 May 2016.

Consistency with strategic planning framework :

The need for the planning proposal has been justified in regard to the following.

A PLAN FOR GROWING SYDNEY

Based on the information submitted by the proponent it is considered that the proposal is consistent with A Plan for Growing Sydney.

DRAFT WEST CENTRAL SUBREGIONAL STRATEGY

The draft West-Central Subregional Strategy specifically identifies the Bonds Spinning Mills Site as an industrial site suitable for an alternate zoning. It qualifies this with the proviso that this should occur only if existing operations cease.

This has occurred.

It is stated in the planning proposal that it is consistent with other objectives and actions of the draft West-Central Subregional Strategy as follows:

- * providing for housing choice close to public transport corridors and centres;
- * improving housing choice and affordability;
- * providing local employment opportunities;
- * conserving cultural heritage; and
- * improving recreational facilities and access to open space.

COUNCIL'S COMMUNITY STRATEGIC PLAN

It is noted that the proposal is consistent with Council's Community Strategic Plan.

This plan identifies that Holroyd is expected to accommodate an additional 30,000 people and provide 11,000 new dwellings.

The planning proposal supports this objective by providing additional dwellings to accommodate anticipated population growth within close proximity to an established public transport node and town centre.

This is conclusion supported.

Environmental social economic impacts :

NATURAL HAZARDS

The subject site is not affected by bushfire hazard, acid sulphate soils or mine subsidence.

OVERSHADOWING OF NEIGHBOURING PROPERTIES

Shadow analysis prepared by the proponent demonstrates that private open space at the rear of approximately 16 properties fronting Rowley Street will be affected by overshadowing between 9am and 3pm at the time of the winter solstice (June 21).

The planning proposal states there would be no unacceptable overshadowing of neighbouring properties. This conclusion is based on review of the shadow diagrams, which indicate that both the dwellings and private open space of adjoining properties would continue to receive solar access, with less than 50% of their open space area being overshadowed during the Winter solstice (21st June).

However, review of the building form indicated in the urban design report shows proposed buildings adjacent to the southern boundary of the site as stepping down from 8 storeys to 3 and 4 storeys at the 10 metre setback line.

The requested height controls as submitted to Council by the proponent in November 2015 (Option 1) indicated a proposed building height of 24 metres, which would provide for buildings of up to 6 to 8 storeys in height.

The alternative option based on Strategic Assessment (Option 2) suggested a height limit of 15 metres (3 to 4 storeys) adjacent to the southern property boundary.

The formal planning proposal submitted, in accordance with Council's resolution of 19 April 2016, indicates a proposed building height of 12.5 metres (3 storeys) to the southern property boundary, which is consistent with the built form illustrated in the proponents urban design report.

Retention of the 12.5 metre height limit across this part of the site is therefore supported.

TRAFFIC IMPACTS

The proponent has provided a supplementary traffic assessment prepared by GTA Consultants, dated 2 September 2015.

This assessment specifically considers the revised master plan concept incorporating approximately 1,700 new dwellings and 6,000 square metres of retail space. This assessment indicates that "the proposed development would be able to proceed without having a significant adverse impact on the overall performance of the road network in the vicinity of the site, albeit that some local intersection improvements may be required at Pendle Way / Giba Road...".

On the basis of this assessment, it is considered that there is sufficient justification for the proposal to proceed at the density supported by strategic assessment as "Option 2", that being approximately 1,500 dwellings.

Local intersection improvement works, if required, may be appropriately addressed at the development application stage.

ECONOMIC CONSIDERATIONS

Council commissioned a peer review of the proponent's economic impact assessment, which recommended a reduction in the amount of commercial floor space due to the impact this would have on the existing Pendle Hill centre.

The revised proposal now incorporates a total of 5,500m² of retail floor space and an additional 500m² of business/office premises within the site, in retained heritage buildings.

This is consistent with the recommendations of the peer review, resulting in a reduced and more acceptable impact on the Pendle Hill centre.

Council also note that the proposal would rezone industrial land for primarily residential purposes, resulting in a loss of employment-generating land uses within the subject site.

While some employment would be provided through commercial uses, it is considered that this would be less than that possible under the current light industrial zoning. However, it is acknowledged that the nature of employment across the manufacturing sector is changing, and that the former use of the site for clothing manufacture is now no longer sustainable.

The Draft West Central Subregional Strategy has indicated that the site may be suitable for alternative zoning given the mainly residential nature of the locality and the availability of more suitable employment lands nearby at Girraween.

The economic impact assessment prepared by HillPDA on behalf of the proponent, in March 2014, recognises a range of additional economic benefits which could eventuate from the proposed development and concludes that the proposed new centre i.e. the proposed B2 zoned land is justified in economic terms.

This conclusion is supported.

SOCIAL AND CULTURAL CONSIDERATIONS

The proponent has provided a comprehensive Social Impact Assessment (SIA), which identifies a range of positive social impacts as well as several negative impacts, primarily relating to the capacity of local infrastructure and services.

The SIA also notes outcomes of the meeting with key stakeholders, including local residents, on 26 August 2015. Key issues are outlined below.

- Concerns around the proposed heights of buildings and potential visual and shadowing impacts.

- Potential impacts on local businesses and the existing commercial strip at Pendle Hill if the development includes a supermarket.
- Concerns about the increased population in the local area which may lead to traffic and parking impacts.
- Questions about how development contributions to Council would be spent and whether there would be direct benefits for the local community.
- Potential construction impacts (e.g. noise, vibration, dust) and the potential timeframes associated with staging of the development.

The SIA concludes that adoption and implementation of relevant recommendations will assist with delivering on the objectives of Holroyd City Council SIA Policy and will provide socially sustainable outcomes.

This conclusion is supported. The proposal is considered acceptable in relation to the identified social and cultural implications.

CONCLUSION

RESIDENTIAL DENSITY AND FSR

The proponent has submitted substantial additional documentation and an urban design report which supports an increase in the residential yield for the development from 1,300 dwellings (as accommodated under the Gateway determination of February 2015) to 1,600 dwellings.

Sufficient evidence has been presented to justify some increase in residential density across the site as a whole. Strategic assessment completed by Council's Environmental and Planning Services Team presents comprehensive analysis of potential dwelling yield and FSR, together with a comparative analysis of residential densities provided within other similar centres and precincts across Sydney.

This analysis supports a residential density of approximately 180 dwellings per hectare, which equates to approximately 1,500 dwellings on the subject site.

On this basis, provision of FSR's within the residential zones of 1.2:1 and 2.3:1 respectively, is recommended, in accordance with "Option 2".

BUILDING HEIGHT

The planning proposal submitted to the Department in accordance with Council's resolution of 19 April 2016 indicates a proposed building height of 12.5 metres (3 storeys) to the southern property boundary, which is consistent with the built form illustrated in the proponents urban design report.

Retention of the 12.5 metre height limit across this part of the site is recommended.

RECOMMENDED AMENDMENTS TO THE PLANNING PROPOSAL

It is noted that on 19 April 2016 Council resolved not to support "Option 2" in the recommended form. As a consequence, the planning proposal, as forwarded to the Department for Gateway determination on 24 May 2016, provides for a reduced FSR of 1.9 across the southern component of the site, and an associated overall residential yield of approximately 1,300 dwellings. This represents no net increase in residential yield to that indicated under the prior Gateway determination of 23 February 2015.

On the basis of the urban design report and the associated traffic, heritage and other studies submitted by the proponent, it is considered that a revised proposal accommodating a potential residential yield of up to 1,500 dwellings has sufficient merit to proceed to Gateway determination and subsequent public exhibition.

It is therefore recommended that the FSR proposed for the southern residential portion of the site be amended to 2.3:1.

On the basis of the indicative building envelopes illustrated in the urban design report and

the accompanying shadow analysis, it is recommended that the building height controls nominated in the planning proposal be retained as submitted, in accordance with Council's resolution of 19 April 2016.

Assessment Process

Proposal type : Precinct Community Consultation Period : 40 Days

Timeframe to make LEP : 18 months Delegation : RPA

Public Authority Consultation - 56(2)(d) :
 Department of Family and Community Services
 Department of Education and Communities
 Office of Environment and Heritage
 Integral Energy
 Transport for NSW
 Department of Health
 Transport for NSW
 Transport for NSW - Roads and Maritime Services
 Adjoining LGAs

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed ? Yes

If no, provide reasons :

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

Heritage

Flooding

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council Letter - 24 May 2016.pdf	Proposal Covering Letter	Yes
Planning Proposal - Bonds Spinning Mills site - final - May 2016.pdf	Proposal	Yes
Draft LEP maps_21042016.pdf	Map	Yes
Council Report_19042016.pdf	Proposal	Yes
Proponent's Planning Proposal report - March 2016.pdf	Proposal	Yes
Urban Design Report.pdf	Study	Yes
Bonds Spinning Mill Site Draft DCP - March 2016.pdf	Study	Yes
Heritage Report - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Conservation Management Plan - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes

Economic Impact Assessment - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Social Impact Assessment - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Flood Statement - Letter of Advice - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Supplementary Traffic Report - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Supplementary Traffic Advice_GTA.pdf	Study	Yes
Servicing Letter - 190-220 Dunmore Street, Pendle Hill.pdf	Study	Yes
Draft Heads of Agreement for VPA 21.12.2015.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.3 Flood Prone Land

Additional Information : **DELEGATION OF PLAN-MAKING FUNCTION**
 Holroyd City Council has not requested delegation of the plan-making function for this planning proposal. As it is a major rezoning proposal for approximately 1,500 dwellings, the issue of authorisation to Council to exercise delegation is not recommended in this instance.

SECTION 117 DIRECTIONS

In respect of S117 Direction 6.2 Reserving Land for Public Purposes, it is recommended that the Secretary's delegate provide approval for the addition of land reserved for public purposes, which would create a new 0.53 ha public park within the site and will be zoned RE1 Public Recreation.

It is further recommended that the Secretary's delegate agree that any inconsistencies with S117 Direction 1.1 Business and Industrial Zones and S117 Direction 4.3 Flood Prone Land are justified on the basis of minor significance.

RECOMMENDATION

It is recommended that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be revised, as follows:
 - a) the Explanation of Provisions, proposed maps and any other relevant references within the document to the nature of the proposal are to be amended to indicate a maximum floor space ratio (FSR) of 2.3:1 across the southern portion of the site that is currently shown as to have an FSR of 1.9:1;
 - b) demonstrate that the subject land can be adequately serviced or that arrangements for servicing may be made in accordance with S117 Direction 3.1 Residential Zones; and
 - c) Council is to update the Phase 2 Environmental Site Assessment to demonstrate that the identified contamination on the site can be satisfactorily remediated to enable future residential use. Council is to subsequently update section 2.3.2 of the planning proposal to discuss consistency with SEPP 55 Remediation of Land, prior to public exhibition.
 - d) Council is to consult with the Office of Environment and Heritage on the heritage significance of buildings on the subject land and the Conservation Management Plan and Heritage Assessment. Council is to address any comments and include the response of the public agency with the exhibition material.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act, as follows:

- a) the planning proposal must be publicly available for a minimum of 28 days; and
- b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals identified in section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities:

- Endeavour Energy;
- Department of Education and Communities;
- Office of Environment and Heritage;
- Family and Community Services - Housing NSW;
- Transport for NSW;
- Transport for NSW - Roads and Maritime Services;
- Sydney Water;
- Telstra;
- Adjoining LGAs.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for instance in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposal is supported:

- . to facilitate appropriate economic and heritage re-use of the site; and in view of:
- . the provision of housing in an appropriate location, and
- . the sites location near Pendle Hill Train Station, village centre, and other services.

Signature:



Printed Name:

T DORAN

Date:

6/7/16