

PLANNING PROPOSAL

For the Neil Street Precinct, Merrylands

February 2016



CONTENTS

1	INTRODUCTION.....	3
1.1	SUMMARY	3
1.2	DEVELOPMENT FEASIBILITY IN THE PRECINCT.....	4
1.3	THE URBAN DESIGN REVIEW	4
1.4	LAND TO WHICH THE PLANNING PROPOSAL APPLIES	5
1.4.1	<i>Precinct Description and Context</i>	<i>5</i>
1.4.2	<i>Lot Ownership and Development Activity</i>	<i>6</i>
1.4.3	<i>Consultation with Landowners.....</i>	<i>9</i>
1.4.4	<i>Merrylands City Centre Revitalisation.....</i>	<i>9</i>
1.5	PLANNING CONTEXT.....	10
1.5.1	<i>Holroyd Local Environmental Plan (LEP) 2013</i>	<i>10</i>
1.5.2	<i>Precinct Constraints</i>	<i>14</i>
1.6	COUNCIL RESOLUTIONS	14
2	THE PLANNING PROPOSAL	16
2.1	PART 1: OBJECTIVES AND INTENDED OUTCOMES.....	16
2.2	PART 2: EXPLANATION OF PROVISIONS	16
2.3	PART 3: JUSTIFICATION	21
2.3.1	<i>Section A - Need for the Planning Proposal</i>	<i>24</i>
2.3.2	<i>Section B - Relationship to strategic planning framework.....</i>	<i>25</i>
2.3.3	<i>Section C - Environmental, Social and Economic Impact.....</i>	<i>33</i>
2.3.4	<i>Section D - State and Commonwealth interests</i>	<i>38</i>
2.4	PART 4 MAPPING	39
2.5	PART 5 COMMUNITY CONSULTATION	39
2.6	PART 6 PROJECT TIMELINE.....	40
	APPENDIX LIST	41

1 Introduction

1.1 Summary

This Planning Proposal is being undertaken by Holroyd City Council (Council). It is the culmination of the advice and outcomes of several related activities, being (i) a study of development feasibility (ii) a subsequent urban design review and (ii) updated advice of the constraints and opportunities affecting the area.

The Planning Proposal seeks to amend specified planning controls under the Holroyd Local Environmental Plan 2013 (Holroyd LEP 2013) for the Neil Street Precinct (Precinct) within the Merrylands City Centre. Broadly, the Precinct is that area bound by Pitt Street, Holroyd Gardens, the railway corridor and Terminal Place as well as identified lots on the west of Pitt Street. The planning controls to be amended are the Land Use Zonings, the maximum building height and the maximum floor space ratio (FSR). Within the Land Use Zonings, the new area zoned B6 Enterprise Corridor is to include Commercial Premises and an additional permitted use (APU). The proposed amendments to the planning controls have been determined through an Urban Design Review and underlying Development Feasibility study.

The outcome sought, through the amended planning controls, is to support the future redevelopment of the Precinct through commercially viable projects that will optimise the locational based attributes, the opportunities of the precinct, and to accommodate the identified constraints.

As this Planning Proposal, prepared for Council, is to amend the controls of a precinct, no specific development concept or plans specific to a site are presented. Therefore, the overview of the Planning Proposal (section 2), and in particular the Justification of the Planning Proposal (section 2.3), are provided to the Precinct level only and do not consider a development concept of individual elements such as buildings. One scenario of how the Precinct may be redeveloped, by application of the proposed amended controls and building configuration, is presented in this Planning Proposal as a visual guide and to assist understanding.

This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and relevant Department of Planning & Environment Guidelines.

1.2 Development Feasibility in the Precinct

Land owners of properties within the Precinct raised concerns with Council around discrepancies in the planning controls within the Holroyd LEP and DCP of 2013 and related viability for redevelopment of their properties. Council subsequently commissioned a study into the development feasibility of the wider Neil Street Precinct as a more strategic and equitable review of the area and its potential. The Development Feasibility of Merrylands Neil Street Precinct study was undertaken, the report of was produced in June 2015. Of the ten (10) lots tested under the study, only three (3) were assessed as clearly feasible for redevelopment.

The study recommended changes that could be made to the planning controls so that, with the amended controls, the other seven (7) lots could then also be feasible for redevelopment. As a result of the Development Feasibility study, and the recommended changes to planning controls, an urban design review was undertaken.

1.3 The Urban Design Review

An Urban Design study undertaken in 2002 for Council (being the Urban Design Advisory Service Report February 2002) defined a Vision for the Neil Street Precinct as “to be a vibrant, successful, mixed use community, close to main shopping areas, public transport, the creek and the park.” This Vision remains relevant and has been applied to the recent Merrylands Neil Street Precinct Urban Design Review (and Report) of October 2015 which followed the Development Feasibility Study of June 2015 (per section 1.2 above). This recent Report formed part of the basis of this Planning Proposal.

The objectives of the Urban Design Review activity (October 2015) for the Precinct were to:

- Assess the current (planning) controls and identify inconsistencies.
- Determine the general structure and built form to maximise development yield appropriate to the location.
- Provide an open space network which is an integral part of the Merrylands City Centre urban structure.
- To provide clear planning controls that will lead to development of zone plans, development standards and design controls for inclusion in the Holroyd LEP 2013 and DCP 2013.

The urban design outcomes adopted to guide the Urban Design Review activity for the Precinct were to:

- Enhance connectivity within the Neil Street Precinct and with the surrounds.
- Maintain and develop spaces that encourage social interaction for all people, which will contribute to people's sense of place.
- Integrate the management of stormwater and floodwater into the design of public open space to establish an adaptable public domain capable of accommodating a broad range of uses, experiences and activities, while still maintaining its primary function of overland stormwater drainage.
- Promote the "green and leafy" character associated with established trees within Holroyd Gardens.
- Maintain the sense of spaciousness created by the lower density built form and Holroyd Gardens to the north through the extensive network of private and public open space areas.
- Provide appropriate interfaces to surrounding residential and open space areas.
- Improve the visual quality of the Sydney Water Concrete Culvert by incorporating landscaping to soften the appearance which will not only provide a sustainable drainage system but also enhance the recreational value of the Precinct.

1.4 Land to Which the Planning Proposal Applies

1.4.1 Precinct Description and Context

The Precinct broadly consists of the area bound Holroyd Gardens and future extension of Sheffield Street (northern boundary), the railway corridor (eastern boundary) and Terminal Place (southern boundary) and identified lots west of Pitt Street (between Neil Street and the Stockland shopping centre). An aerial photo showing the Precinct is provided at Figure 1.

The buildable area (ie excluding roads, open space, infrastructure etc.) of the Precinct is approximately 48,650 m² (being 4.865 hectares or about 12 acres).

As can be seen on the aerial photo (Figure 1) the Precinct has previously been developed and contains buildings (both occupied and vacant), cleared land and car parking.

The Precinct is located between the transport nodes of the Merrylands Transport Interchange (railway station and bus stops), the Stockland Shopping Centre Merrylands and adjacent Merrylands City Centre, and Holroyd Gardens recreational area. Bus services travel along Merrylands Road, Pitt Street and McFarlane Street, converging at the Merrylands Interchange to the immediate south of the Precinct. These key contextual sites are identified on Figure 1.



Figure 1: Neil Street Precinct (bound in red) with contextual sites

1.4.2 Lot Ownership and Development Activity

The majority of Lots within the Precinct are owned by private entities and Council has limited land holdings. Sydney Water has an easement over land containing the Sydney Water drainage culvert infrastructure.

There is private interest in redeveloping the area. Development applications have been lodged with Council for three lots within the Precinct (two lots on Neil Street and one lot on Pitt Street) which are currently either under assessment or are approved but seeking modification. The proposed developments are for both mixed use and residential-only land uses. However, the scale of developments proposed would likely continue to under-utilise the properties in comparison with the development potential of the lots as assessed under the Councils' Development Feasibility Study (2015).

A cadastre map of the Precinct is provided at Figure 2 and a lot identification and ownership table is provided at Table 1.

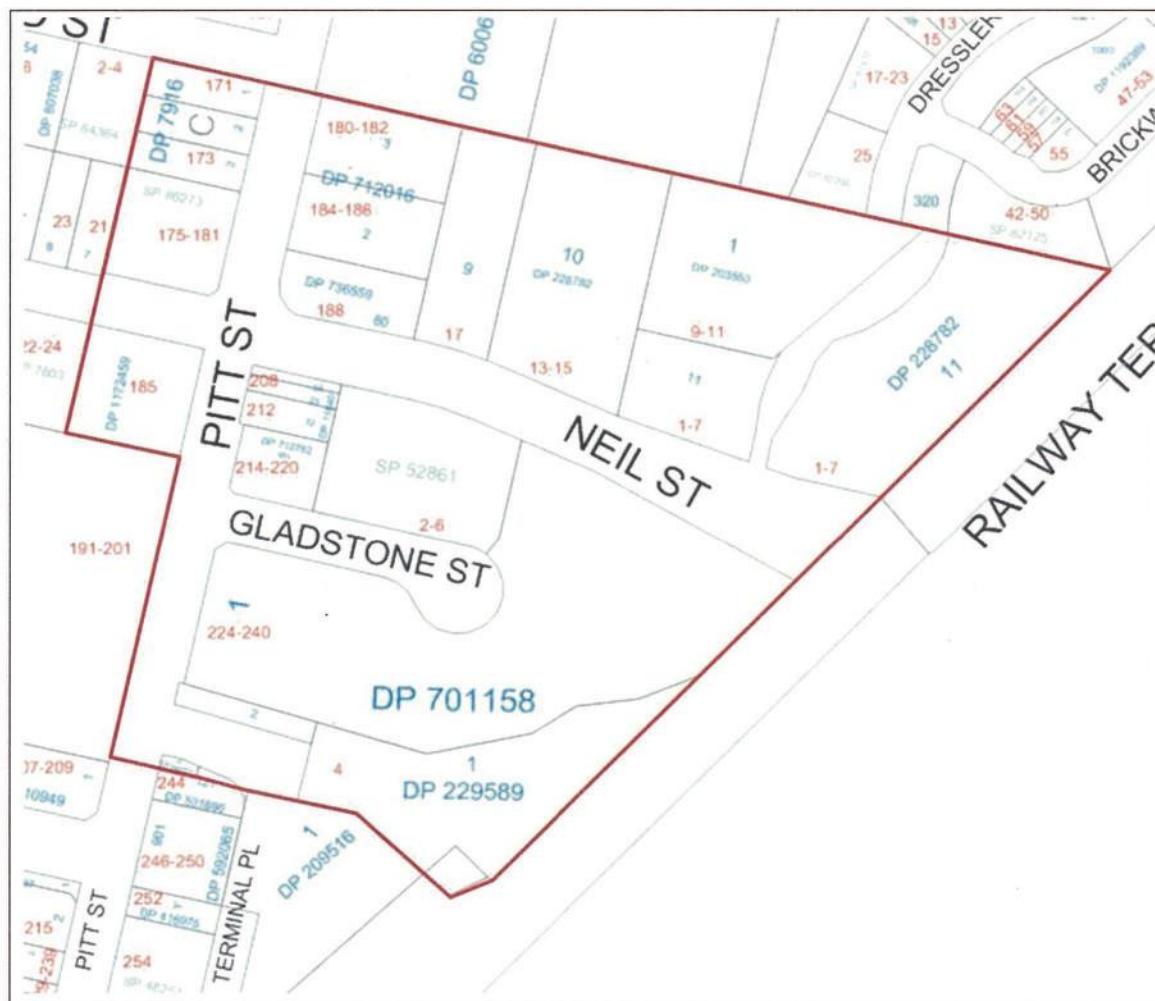


Figure 2: Precinct Cadastral map

Table 1: Lot identification and ownership

Lot Number	Street Address	Ownership (Council or Private)
Lot 1 DP7916 Lot 2 DP7916	171 Pitt St	Private
Lot 3 DP7916	173 Pitt St	Private
Lot 0 SP86273	175-181 Pitt St	Private
Lot 3 DP712016	180-182 Pitt St	Private
Lot 2 DP712016	184-186 Pitt St	Private
Lot 80 DP736559	188 Pitt St	Private
Lot 9 DP228782	17 Neil St	Private
Lot 10 DP228782	13-15 Neil St	Private
Lot 1 DP203553	9-11 Neil St	Private
Lot 11 DP228782	1-7 Neil St	Private
Lot 1 DP1172459	185 Pitt St	Private
Lot 24 DP11640 Lot 23 DP11640	208 Pitt St	Private
Lot 22 DP11640	212 Pitt St	Private
Lot 101 DP712762	214-220 Pitt St	Private
Lot 0 SP52861	2-6 Neil St	Private
Lot 1 DP701158	224-240 Pitt St	Private
Lot 2 DP701158	224-240 Pitt St	Council
Lot 1 DP229589	4 Terminal Place	Private

1.4.3 Consultation with Landowners

As part of the preparation of the Urban Design Review, consultation was undertaken with property owners within the Precinct. Detailed discussions and advice have been provided to a number of key property owners within the Precinct as part of pre-development application meetings. In addition, discussions have been held with a number of property owners in relation to design opportunities and constraints for their sites in the Precinct. Input from property owners as a result of these discussions has informed a number of recommendations of the Urban Design Review.

1.4.4 Merrylands City Centre Revitalisation

Although outside the scope of this Planning Proposal, recognition is also given to the concurrent Merrylands City Centre Revitalisation Project (Figure 3), with particular focus on the core of the centre between McFarlane Street and Merrylands Road, incorporating the proposed Merrylands City Square public space.

The Revitalisation Project builds on the recent planning for Merrylands and development interest, further promoting the future redevelopment of the Merrylands Centre. Two (2) high-rise, mixed-use developments have been approved in the centre, and another twelve (12) are currently being pursued with Council. A separate and specific Planning Proposal for revised heights in the centre core is expected in the coming months following the recent review. Construction of the Merrylands City Square public space (stage 1 works), to replace the existing Council owned car park, is proposed to occur in 2017-2018.



Figure 3: Merrylands City Centre Revitalisation Project area (McFarlane Street (fronting Stockland Mall) and the proposed Merrylands City Square site identified)

1.5 Planning Context

1.5.1 Holroyd Local Environmental Plan (LEP) 2013

The Precinct is currently subject to the following controls under the Holroyd LEP 2013:

- Land Use Zoning (refer Figure 4):
 - R4 High Density Residential
 - B4 Mixed Use
- Maximum Building Height (refer Figure 5):
 - Between 26m and 53m.
- Floor Space Ratio (FSR) (refer Figure 6):
 - Between 2.8:1 and 6.5:1.

The Precinct is predominantly developed with low commercial buildings, although some of these buildings are vacant, hardstand carparking and cleared lots.

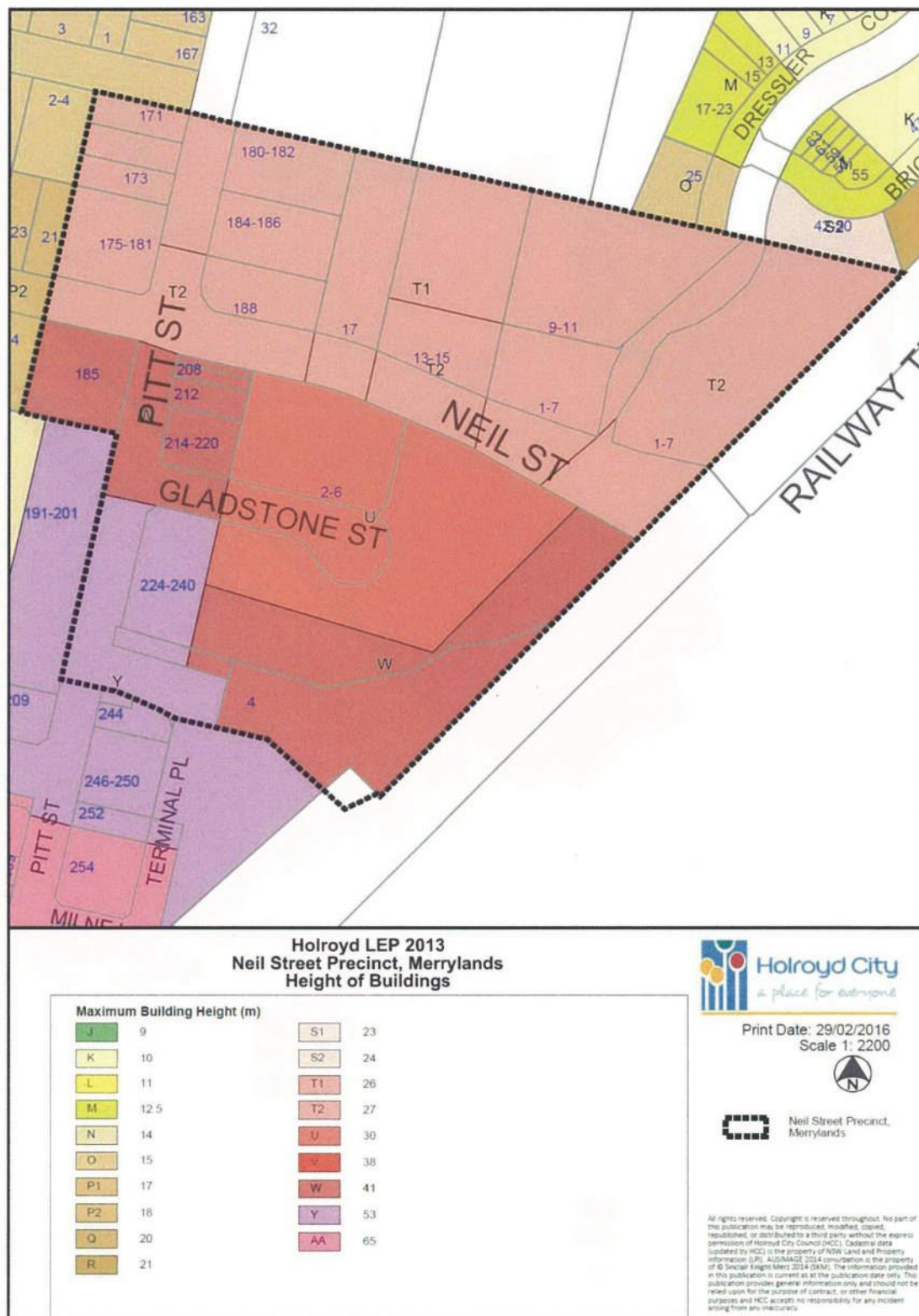


Figure 5: current Maximum Height of Buildings per Holroyd LEP 2013

1.5.2 Precinct Constraints

This Planning Proposal has been informed by an Urban Design Review completed in October 2015 (report at Appendix A). This Review was itself prompted by, and so is to address, inconsistencies arising from the application of the Holroyd LEP 2013 and DCP 2013 impacting the development potential (feasibility) of lots as well as to update the constraints affecting the Precinct.

The constraints identified within the Urban Design Review and used to inform the planning controls to be amended under this Planning Proposal were:

- Most of the properties are affected by flooding (1% annual exceedance probability).
- An overland flow path within the Precinct requiring a drainage corridor. A flood investigation undertaken in September 2015 (being the Merrylands CBD Neil Street Precinct Flooding Investigation - refer Appendix B) assessed that the existing 40m corridor width could be revised down to a 35m wide corridor in conjunction with flood risk management activities in the Merrylands City Centre (further information is provided in section 2.3.3).
- A'Becketts Creek which is located within the north-east of the Precinct (and continuing outside of the Precinct to run alongside Dressler Circuit) which provides surface water flow drainage. The creek connects to the Sydney Water drain culvert infrastructure.
- Advice from Sydney Water that their existing concrete drainage culvert, running in part parallel to the railway line, is not able to be built over. This drainage culvert is underground for the majority of its length, except for one small open-air outlet point.
- Noise and vibration associated with the operation of the railway corridor. Related advice on the separation distances required between railway corridors and urban development.

To achieve internal access for the precinct, extensions to existing roads and new roads were required. These are nominated within the structure plan and overall concept for the Precinct. These new access routes further impacted the area able to be redeveloped within the Precinct.

1.6 Council Resolutions

The potential review of the planning controls was reported to Council on 15 July 2014 following a request by a landowner to review the planning controls for their land on Neil Street. A development feasibility study for the wider Neil Street Precinct was undertaken by Council to provide a strategic view of the potential for redevelopment of the area rather than undertaking a single site assessment. That study identified a number of opportunities for changes to planning controls. These opportunities were subsequently tested for the improvement to development feasibility. At the meeting Council resolved to proceed with the preparation of a Planning Proposal following completion of built form modelling and review of the Holroyd Development Control Plan (DCP) controls.

Specifically, the wording of the 15 July 2014 resolution by Council was as follows:

Resolved on the motion of Clr. Grove, seconded Clr. Zaiter:

- i) That, in relation to the identified opportunities, Council resolve in accordance with option A, being that Council,*
- a) Prepare a planning proposal incorporating the opportunities for potential change identified in this report, following completion of built form modelling.*
 - b) Submit the planning proposal be submitted to the Department of Planning and Environment for 'Gateway' approval and exhibited for community consultation.*
 - c) Undertake community consultation for a proposal to rename the northern portion of the Merrylands Centre Neil Street Precinct to 'Merrylands'.*
 - d) Consider the identified opportunities in a review of the DCP Controls for Merrylands Centre over the next 6 months.*
 - e) Employ an additional strategic planner / urban designer for delivery of this project in addition to the Strategic Planning Work Program.*

Noting that item (e) be referred to the General Manager as an operational item.

- ii) That Council obtain detailed valuation advice for the wider Neil Street Precinct development sites and land acquisitions.*
- iii) That Council defer the endorsement of the Infrastructure Delivery Staging Strategy and Funding Strategy for further information.*
- iv) That Council defer the matter of funding for the Stage 1 Northern Neil Street works for further investigation.*

An Urban Design Review was undertaken in 2015. This review was in response to the 2014 Council resolution to undertake the built form modelling and identification of initial DCP control amendments that may be appropriate as resolved by Council in 2014. The Urban Design Review also incorporated and responded to updated information regarding flooding affecting the Precinct, Sydney Water requirements regarding the drainage culvert, and other activities within Council including discussions with property owners. The Urban Design Review Report was reported to a Closed Council meeting on 20 October 2015. At that meeting Council resolved to endorse the Neil Street Precinct Urban Design Review and to progress with a Planning Proposal to amend the Holroyd LEP 2013 - being this Planning Proposal.

Specifically, the wording of the 20 October 2015 resolution was as follows:

Resolved on the motion of Clr. Monaghan, seconded Clr. Nasr Kafrouni that:

- i) Council endorse the Merrylands Neil Street Precinct Urban Design Review.*
- ii) A planning proposal to amend Holroyd Local Environmental Plan (LEP) 2013 be prepared and submitted to the Department of Planning and Environment for gateway determination based on the Merrylands Neil Street Precinct Urban Design Review.*

- iii) *Amendments to the Holroyd Development Control Plan (DCP) 2013 be prepared and public consultation be undertaken based on the Merrylands Neil Street Precinct Urban Design Review.*
- iv) *Pending favourable gateway determination, Council proceed to community consultation for the planning proposal and DCP amendments, as well as the suburb boundary changes previously resolved in the Council report of 15 July 2015 (COTW012-14)*
- v) *The Merrylands Neil Street Precinct Urban Design Review report be made available to the public prior to the gateway submission.*

A copy of Report to the 15 July 2014 Council meeting and Resolution is provided at Appendix C. A copy of the Report to the 20 October 2015 Council meeting and Resolution is provided at Appendix D.

2 The Planning Proposal

2.1 Part 1: Objectives and Intended Outcomes

The objective of the Planning Proposal, through the amendments to planning controls as proposed, is to enable and stimulate the redevelopment of the Precinct to provide for residential dwellings, commercial businesses and open space that is appropriate to the location and will benefit the future of the Merrylands City Centre.

The intended outcome is to achieve the Vision for the Precinct being “to be a vibrant, successful, mixed use community, close to main shopping areas, public transport, the creek and the park.”

As this Planning Proposal seeks to amend the controls of a precinct, no specific development concept or plans specific to a site are presented. Illustrative plans of one example of the redeveloped Precinct, with application of the amended planning controls, is provided for visual effect and understanding. Therefore, the overview of the Planning Proposal (section 2) and in particular the Justification of the Planning Proposal (section 2.3) is provided for the Precinct level only and does not consider a development concept.

2.2 Part 2: Explanation of Provisions

The proposed objective and intended outcomes of the Planning Proposal would be achieved by amending the Holroyd LEP 2013 controls of land use zoning, maximum building heights and FSRs for the lots within the identified Precinct area.

The current controls and the proposed (amended) controls are summarised in Table 2. Maps of the current and proposed controls under the Holroyd LEP 2013 are provided in Figure 7; Figure 8; and Figure 9; and in Appendix E.

Amendment of the Holroyd DCP will be required to be consistent with the amendments to the LEP 2013 and to achieve the objectives and vision for the Precinct. Preliminary identification of potential DCP amendments is provided in the Urban Design Review Report (October 2015). Refinement of the DCP amendments will occur concurrently with this Planning Proposal Gateway Determination. Community consultation of the DCP amendments is proposed to be undertaken as part of the community consultation of the proposed LEP (planning control) amendments of the Planning Proposal in accordance with the Council resolution.

Table 2: Summary of proposed control changes

Control	Current	Proposed
Land Use Zone	B4 Mixed Use R4 High Density Residential	B4 Mixed Use B6 Enterprise Corridor with "Commercial Premises" as an Additional Permitted Use (APU)). SP2 Infrastructure (Road) SP2 Infrastructure (Drainage) RE1 Public Recreation R4 High Density Residential
Maximum Building Height	26m 29m 41m 32m 53m	27m 30m 39m 42m 54m 65m
Floor Space Ratio (FSR) (value :1)	2.8 3.0 3.5 4.5 5.0 6.5	3.5 4.5 5.0 6.5 8.5

Note: Neither maximum building heights or Floor Space Ratio (FSR) are allocated for the SP2 Infrastructure or RE1 Public Recreation zoned land – as these land uses are not to be built upon and there is to be no perception of the potential for development of these areas.

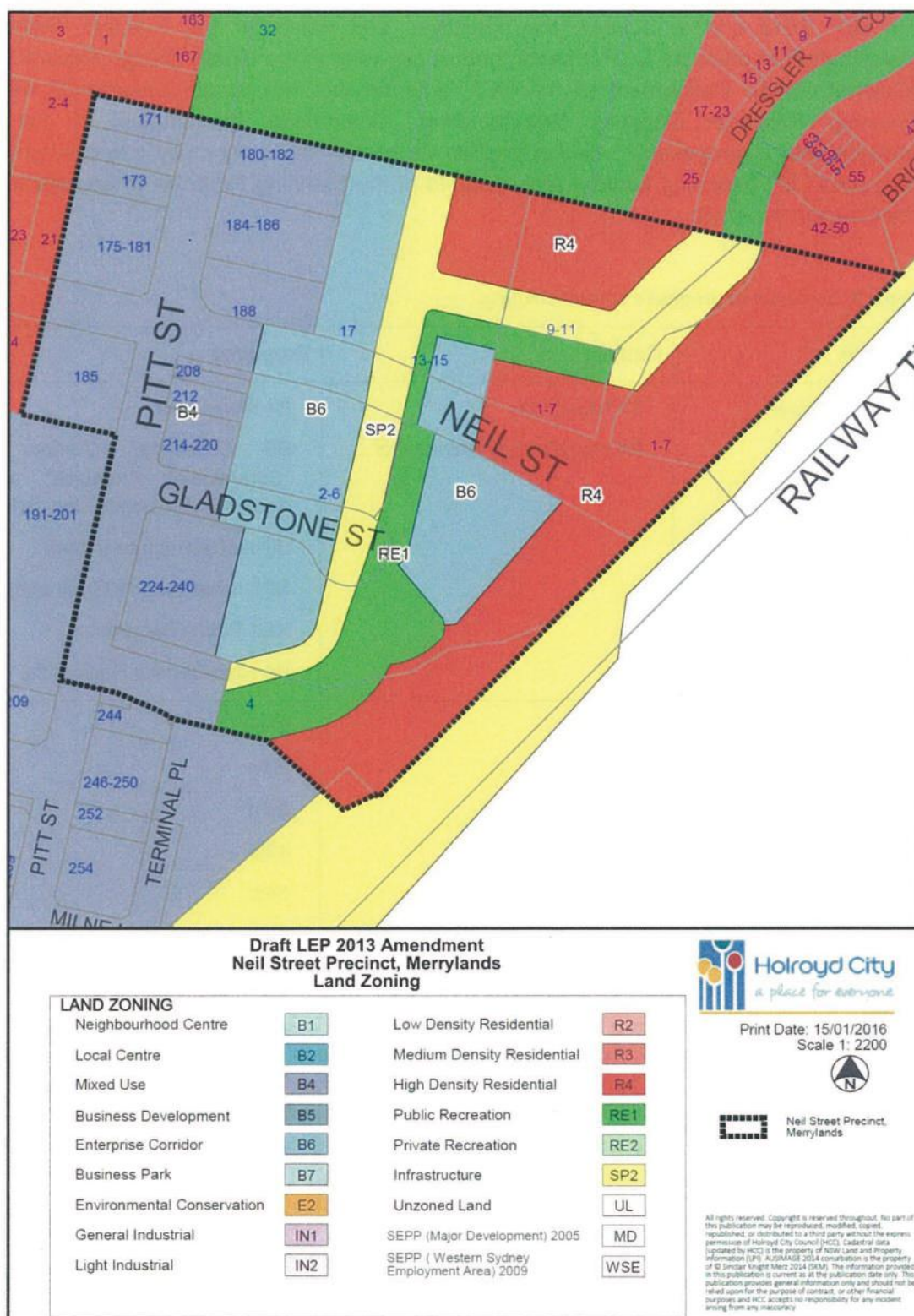


Figure 7: Proposed Amendment to Holroyd LEP 2013 - Land Use Zones

(Note: the B6 Enterprise Corridor zone is to include 'Commercial Premises' as an Additional Permitted Use (APU).

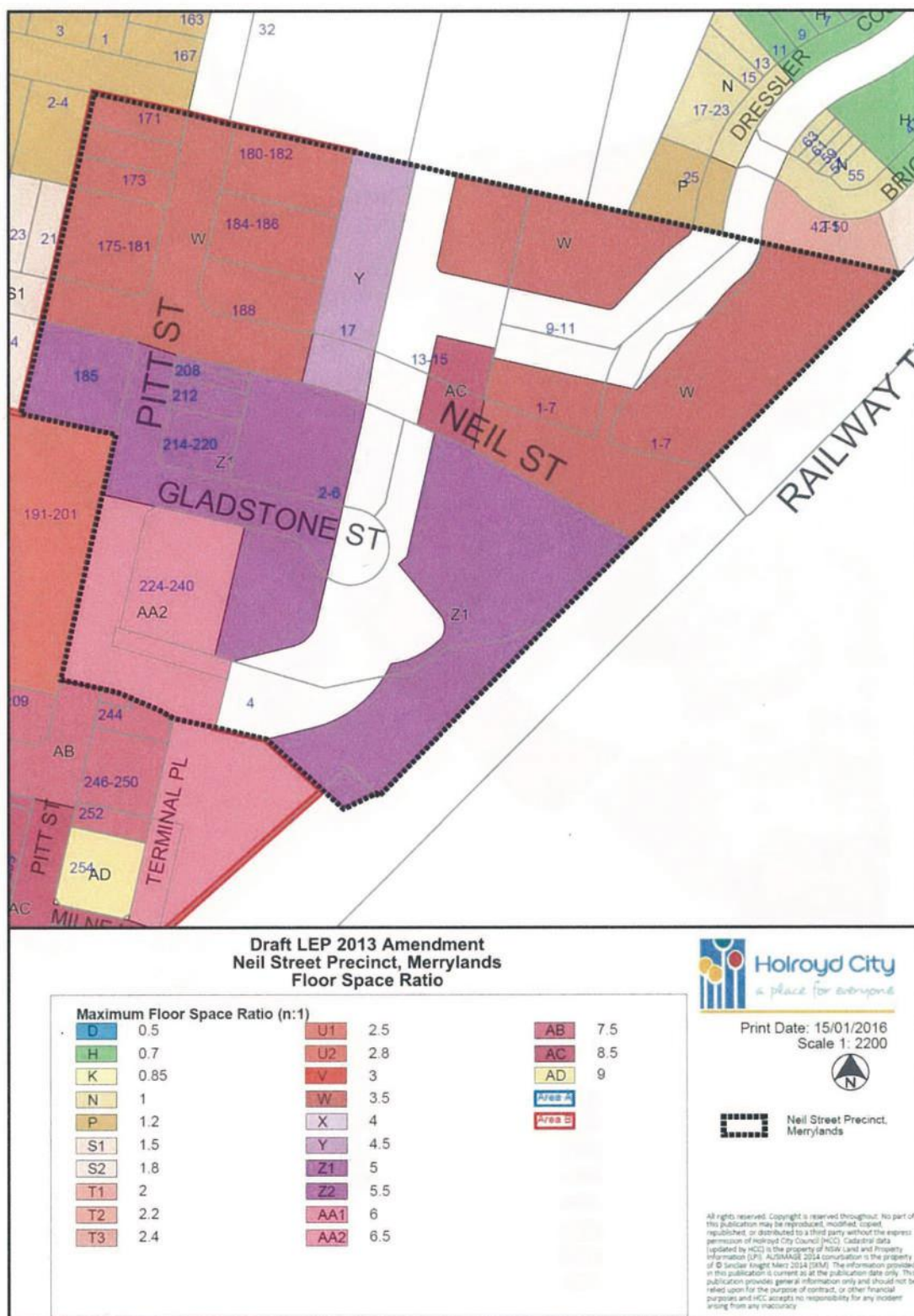


Figure 8: Proposed Amendment to Holroyd LEP 2013 - Floor Space Ratios

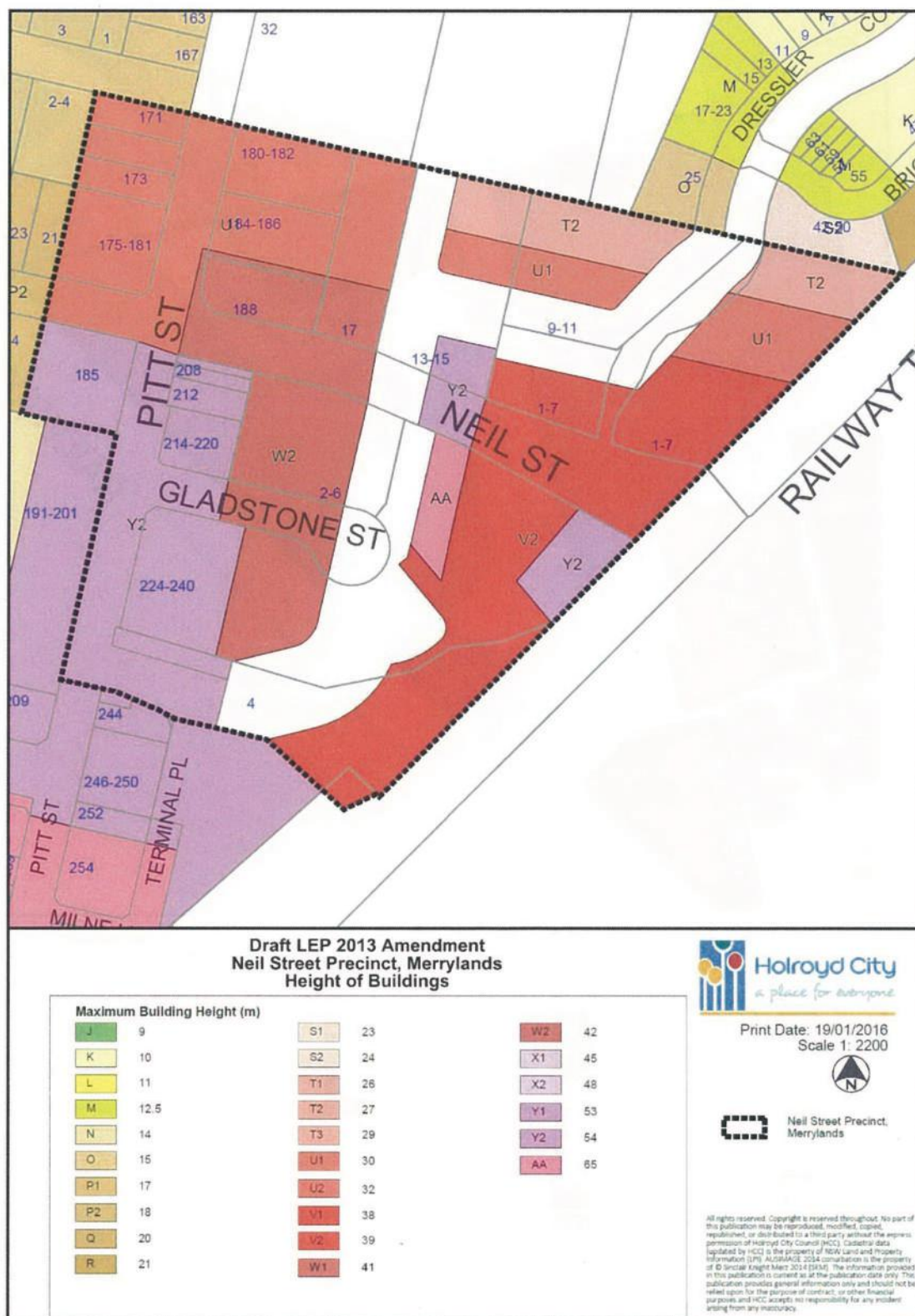


Figure 9: Proposed Amendment to Holroyd LEP 2013 - Heights of Buildings

2.3 Part 3: Justification

Overview

This Planning Proposal seeks to amend the planning controls affecting the Neil Street Precinct in order to achieve feasibility for redevelopment of the Precinct, to achieve the Vision for the Precinct, and to support built forms that are appropriate to the location.

The proposed amendments to the planning controls are to redress an issue identified as part of a Development Feasibility study - being that under the current controls redevelopment of many sites within the Precinct may not be feasible. As a result, redevelopment within the Precinct is impeded or even precluded. The attributes of the Precinct, especially in terms of access to transport, proximity to the City Centre for retail, services and employment, combined with its internal potential for employment and dwellings, are key features of the Precinct, contribute to its attractiveness for investment and its potential role in the future vibrancy of Merrylands City.

Figure 10 provides an indicative building design for the Precinct applying the proposed amended controls. This plan also indicates potential future growth in the Merrylands City Centre. (Note: Building configuration/shape and position within each site is indicative only.) Figure 11 below, taken from the Urban Design Review Report October 2015, provides the nominated road and open space configuration that is consistent with the amended planning controls and to achieve a level of urban amenity. The figure also presents an example of building configurations appropriate to the amended controls, constraints, areas of public space including the new triangular public park, and the proposed connectivity elements for the sites within the Precinct.

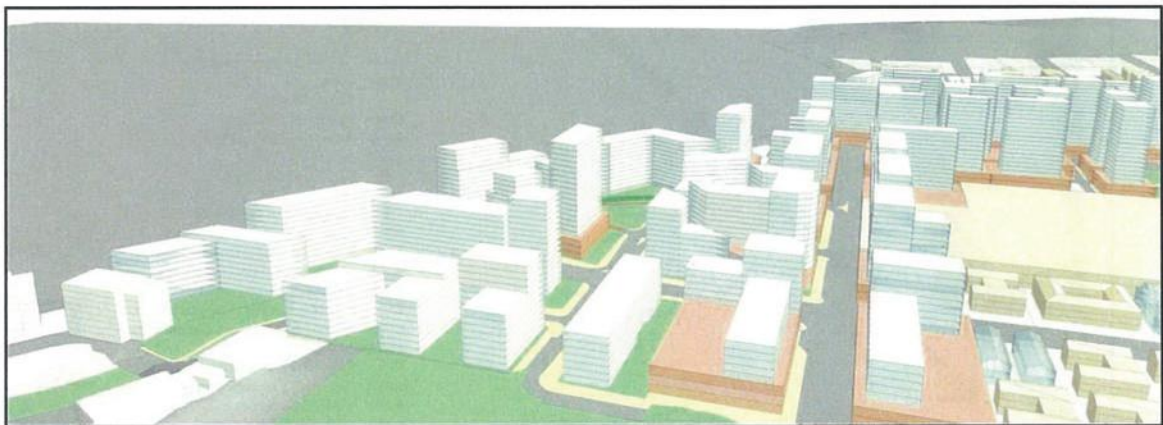


Figure 10: Indicative view of potential Precinct redevelopment using new controls looking to the south-west (Holroyd Gardens in foreground, Stockland shopping centre on the right. Includes the potential development of the Merrylands City Centre revitalisation).

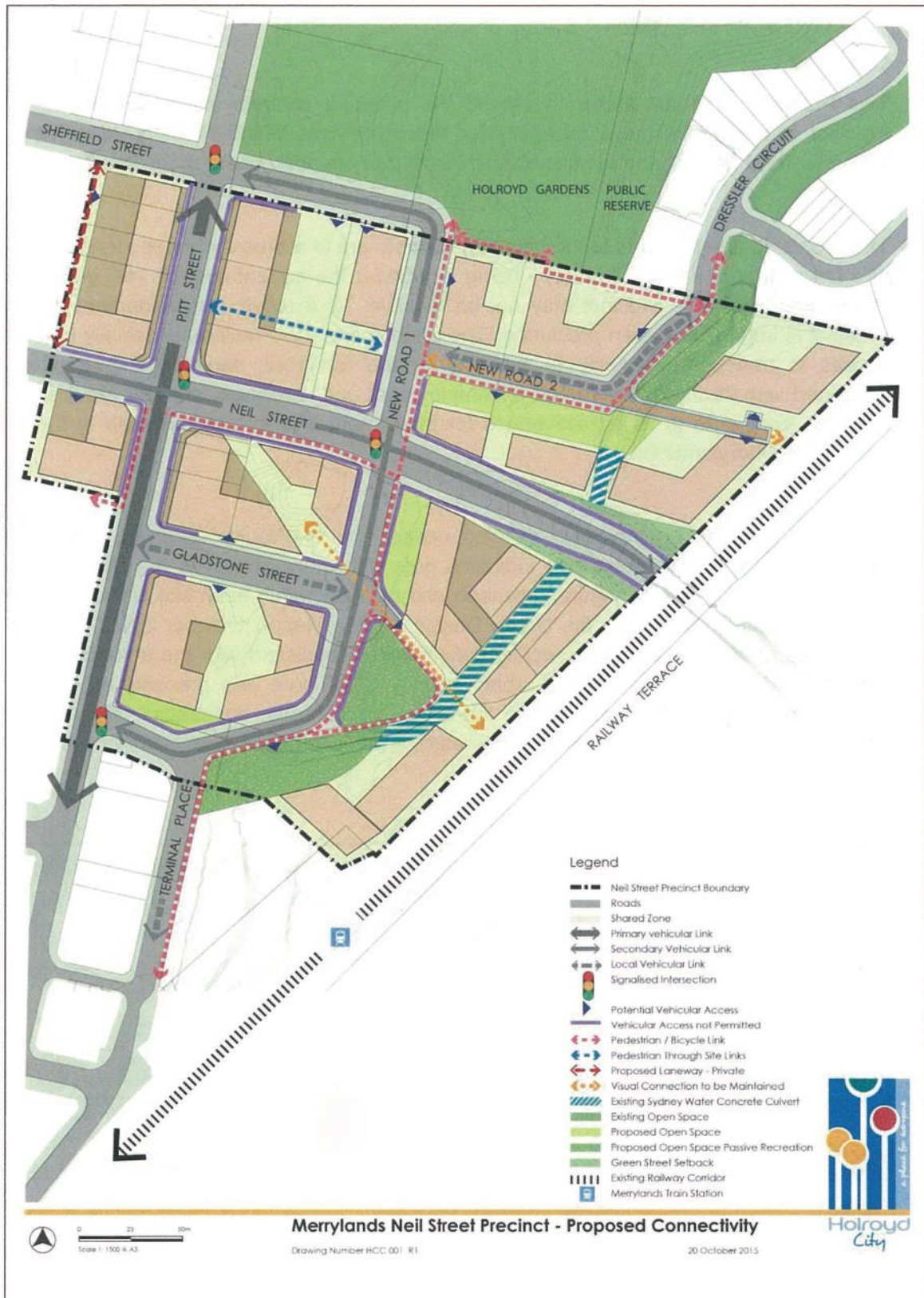


Figure 11: Precinct with road and open space configuration; and an example of building configuration.

Background to this Planning Proposal

In early 2014 Council received a request from a land owner within the Precinct to review planning controls of the Holroyd LEP 21013 and DCP 2013, which affect the viability of development on their site. Council engaged a consultant to undertake a development Feasibility Study for the wider Neil Street Precinct incorporating the landowners' site. That Study identified that only three sites within the Precinct were feasible for development, and so conversely that many sites within the Precinct were not feasible for redevelopment. These results were related in part to the current controls as well as to market factors. As a result of the Study Council considered that there was merit in reviewing the planning controls so as to support the future redevelopment of the Precinct. At its meeting of 15 July 2014 Council resolved to proceed with work supporting the potential future amendment of the controls (Appendix C).

An Urban Design Review subsequently undertaken within Council had the following objectives:

- To assess the current controls and identify inconsistencies.
- To determine the general structure and built form for the Neil Street Precinct to maximise development yield within the context of the location.
- To provide an open space network which is an integral part of the urban structure that compliments the Merrylands City Square.
- To provide clear planning controls to guide the form of future development in the Neil Street Precinct to lead to development of controls for inclusion in the LEP 2013 and DCP 2013.

The Urban Design Review was informed in part by the Merrylands CBD Neil Street Precinct Flooding Investigation dated September 2015 (Appendix B).

The Report on the Urban Design Review was finalised in October 2015 (Appendix A). The proposed land use, maximum building heights, and FSR to achieve the identified outcomes for the Precinct were outlined in the Report. This Urban Design Review, with a recommendation on a way forward, was reported to Council on 20 October 2015. At that meeting Council endorsed the Report and resolved to proceed with a Planning Proposal to amend the Holroyd LEP 2013 based on the findings of that Report (Appendix D).

This Planning Proposal is the result of that Council resolution, and the proposed amendments to the planning controls are per the outcomes of the endorsed Urban Design Review Report of October 2015.

2.3.1 Section A - Need for the Planning Proposal

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

Yes. The Planning Proposal is the direct result of the Neil Street Precinct Urban Design Report of October 2015 (Appendix A). That Report followed on from the Development Feasibility Study of June 2014, which identified inconsistencies within the controls adopted in the Holroyd LEP 2013 and the Holroyd DCP 2013, and also that under the existing controls many sites in the Precinct may not be (commercially) feasible for redevelopment.

The proposed amendments to the planning controls also take into account updated advice relating to constraints affecting the area, in particular relating to flooding and drainage culvert infrastructure.

The Urban Design Report and Feasibility Study built upon earlier studies covering the design and development of the Precinct and the overall Merrylands CBD.

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

Yes. It is considered that the Planning Proposal is the best means of achieving the objectives and intended outcomes. The Precinct is part of the Merrylands City Centre area and is proximity to major transport nodes, shopping and services, and open space that are attractors for and anchors for substantial new investment and redevelopment. The Development Feasibility Report and subsequent Urban Design Review have sought to optimise the potential for the Precinct with development that is appropriate and viable.

The proposed amendments for the planning controls under this Planning Proposal have been assessed as required through a development feasibility study and further confirmed through an Urban Design Review undertaken within Council.

Under the current controls, many sites within the Precinct have been assessed as not being feasible for redevelopment. As a result, lots within the Precinct will likely continue to be underutilised, and the potential benefit and growth of the Precinct and relatedly the Merrylands City Centre through this Precinct would not be realised. Amending the planning controls in the short term will capitalise on the current development interest in the area and could progress in tandem with the Merrylands City Centre Revitalisation project for mutual benefit.

The introduction of the B6 Enterprise Corridor along the New Road 1 is to encourage a range of business activities and so employment opportunities within the Precinct along this main route. The inclusion of 'Commercial Premises' as an Additional Permitted Use (APU) within this zone is to allow retail as well as office and business activities in this zone and so widen economic activity and employment opportunities as well as to provide services to residents within the Precinct.

2.3.2 Section B - Relationship to strategic planning framework

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

Sydney Metropolitan Strategy

The applicable Sydney Metropolitan (Regional) Strategy is “*A Plan for Growing Sydney*” (the Plan) of December 2014. The Plan sets out four goals, with supporting directions, to achieve the vision of “a strong global city, a great place to live”. Directions relevant to this Planning Proposal, and a comment outlining how the proposal responds to that direction, are provided below (Table 3). The full list of goals and directions, and their relevance, are provided in Appendix F.

Table 3: Relevant Sydney Metropolitan Strategy Goals and Directions

Goal 1: A competitive economy with world-class services and transport			
Direction		Relevant	Comment
1.4	Transform the productivity of Western Sydney through growth and investment	Yes	Although the proposed development enabled is not sufficiently large to ‘Transform’ Western Sydney, it will contribute to the investment in and growth of the Merrylands City Centre as part of the Western Sydney region.
1.9	Support priority economic sectors	Yes	The Precinct has the potential to support priority economic sectors such as creative industries, digital economy, education and professional services within the Business-type zoned areas.
1.11	Deliver infrastructure	Yes	The development concept provides for the construction of two new roads, and to protect drainage infrastructure (culvert and channel) with provision of associated open space.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles			
Direction		Relevant	Comment
2.1	Accelerate housing supply across Sydney	Yes	The Planning Proposal will enable the redevelopment of lots within the Precinct for uses including residential flat buildings. These will be located near employment opportunities (within the Merrylands city centre or as accessed by transport), services as provided in the western Sydney region, and with nearby public transport options.

Direction		Relevant	Comment
2.2	Accelerate urban renewal across Sydney – providing homes closer to jobs	Yes	The Planning Proposal will enable the redevelopment of lots within the Precinct for residential flat buildings. These will be located near employment opportunities (within the Merrylands city centre or as accessed by transport), services as provided in the western Sydney region, and with nearby public transport options. The planning proposal will enable the redevelopment of lots for business and commercial uses – providing employment opportunities for residents (local or as accessed by transport modes). The redevelopment will increase the number of dwellings on the Precinct. The Precinct incorporates and is adjacent to open space and park areas.
2.3	Improve housing choice to suit different needs and lifestyles	Yes	The Planning proposal will enable the redevelopment of lots within the Precinct for uses including residential flat buildings. This is appropriate given the proximity of the Precinct to the Merrylands City Centre and transport options. It is expected the residential flat buildings will provide for a range of dwelling sizes in accordance with the Holroyd DCP. This will improve housing choice in respect of housing options within the Merrylands Suburb.

Goal 3: A great place to live with communities that are strong, healthy and well connected			
Direction		Relevant	Comment
3.1	Revitalise existing suburbs	Yes	The Precinct is within an established suburban area. The Planning Proposal amendments will enable and encourage investment in the Precinct for new dwellings and (where zoned appropriately) business & commercial buildings. The Precinct, while previously developed, contains a number of vacant buildings or vacant blocks which therefore have little to no activity. The Precinct is in close proximity to public transport nodes and is to have vehicle and pedestrian connections to the adjacent Merrylands City Centre and surrounding area. The Precinct is adjacent to Holroyd Gardens and areas of Open Space are provided within the Precinct.

Direction		Relevant	Comment
3.2	Create a network of interlinked, multipurpose open and green spaces across Sydney	Yes	The Precinct concept allocates areas of open space – some of which is proposed to be zoned as such. Open Space will also be provided associated with drainage infrastructure and so is unsuitable for development of buildings. The Precinct also contains an area of open space associated with A'Becketts Creek, which connects into Holroyd Gardens to the north.
3.3	Create healthy built environments	Yes	The Precinct is located within walking distance of the Merrylands Interchange for bus and train (station) services, and Merrylands City Centre. New Pedestrian and cycle ways connecting the Precinct to the surrounding area are nominated. Open space would be expected as part of the development concept for future Development Applications for residential flat buildings within the Precinct – as required under SEPP 65.

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

Direction		Relevant	Comment
4.1	Protect our natural environment and biodiversity	Yes	No significant natural environmental values are identified within the Precinct. A'Becketts Creek, located in the north-east corner of the Precinct, and which forms part of the drainage network for the area including as a channel for overland flow, is to be protected. The Creek is proposed to be rezoned to SP2 Infrastructure in recognition of its role as a drainage channel. However it is intended that this creek will form part of the green open space network within the Precinct – with vegetation retained as part of the creek channel. No changes are proposed to Holroyd Gardens.
4.2	Build Sydney's resilience to natural hazards	Yes	The Precinct is affected by a 1% Annual Exceedance Probability (AEP), an overland flow path and Sydney Water drainage culvert. These have been accommodated and protected with the provision corridors of open space.
4.3	Manage the impacts of development on the environment	Yes	Details of the building design, construction & use, and measures to incorporate ecologically sustainable development principles will be identified at any future Development Application process.

Sub-Regional / District Strategy

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

The objective for the Precinct, and so the planning controls amendment, is to enable redevelopment of the area for commercial / business and residential uses as well as to provide open space supporting drainage infrastructure and to enhance amenity. As such the redevelopment of the Precinct would encourage ongoing economic investment and activity, high density housing, in a location adjacent to public transport nodes and within walking distance of retail, services, and areas of open space including the Holroyd Gardens. Therefore, the redevelopment of the Precinct with the planning control amendments will be consistent with and support the intent of the sub-regional strategy with respect to economic growth, housing, social needs and transport.

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

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

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

The Planning Proposal, supported by the Urban Design Review Report of 2015, is consistent with and supports many of the elements of the Vision within the Strategic Plan for Holroyd including to:

- Provide housing as part of an existing urban centre that provides retail and services to meet the needs of local residents.
- Provides employment opportunities located near residents and near public transport modes for travelling employees.
- Provides business/commercial opportunities within the Precinct, and to interrelate with the Merrylands City Centre.

- Is adjacent to the Merrylands interchange for public transport modes (rail station and bus stops). The Precinct is connected to the interchange and the City Centre by pedestrian and bicycle routes as well as roadways.
- Provides open space and areas for passive recreation to promote outside activity and movement.
- Addresses flood risk through the provision of an overland flow path channel. This channel also presents as an opportunity to provide public open space – this opportunity is optimised by making this space a feature with incorporating landscaping and water sensitive urban design principles.
- Provision of open space and pedestrian ways that will increase foot traffic, support passive surveillance and create opportunities for interaction.
- New road and bicycle / pedestrian ways to provide connections within the Precinct and to the surrounding area.

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

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

A list of relevant SEPPs to the proposed development and comment on their consistency are identified below (Table 4).

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

Table 4: Consistency to Relevant SEPPs

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy No 32 - Urban Consolidation (Redevelopment of Urban Land)	Yes	This SEPP is to ensure redevelopment of appropriate sites for housing including higher density housing, located near employment, transport and infrastructure. The Precinct of this Planning Proposal meets those criteria.

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy No 55 - Remediation of Land	Yes	A number of properties within the Precinct are identified as affected by contamination, with Site Audit Statements prepared for some properties. The Planning Proposal is for a general rezoning of the Precinct following a review by Council of the development feasibility of the Precinct. The Precinct is currently zoned for B4 Mixed Use and R4 High Density Residential. The Planning Proposal does include rezoning of land within the Precinct. However, the properties currently zoned as B4 Mixed Use are to retain that zoning. The properties currently zoned for R4 High Density Residential are to (i) retain this R4 High Density Residential Zone or (ii) be rezoned as either B6 Enterprise Corridor or RE1 Public Recreation or SP2 Infrastructure. The contamination of properties within the Precinct would need to be addressed as part of any future Development Application for lots within the Precinct, including the sensitivity of uses within a proposed development and the suitability of this use to the (contaminated) property with consideration to any remediation works proposed.
State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development	Yes	The Precinct nominates land use zonings that permit residential dwellings (apartments) – such proposed developments will be subject to this SEPP. Detailed design of the buildings and apartments as part of any future development application process would need to demonstrate consistency with and application of this SEPP.

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	The Precinct enables redevelopment of the lots for uses that will be subject to this SEPP.
State Environmental Planning Policy (Infrastructure) 2007	Yes	The Precinct is located adjacent to the rail corridor and therefore future redevelopment in this vicinity will trigger this SEPP. The Precinct includes classified roads of Neil and Pitt Streets and so development fronting these roads will trigger the SEPP. The Planning Proposal seeks to amend planning controls and so encourage redevelopment of the Precinct for a mix of residential and commercial uses. Such developments will increase the number of traffic movements on the local and surrounding road network and cumulative to any other increase in traffic over time and as associated with the revitalisation of the Merrylands City Centre (separate project). Future road infrastructure works to support this growth are proposed. The Precinct design includes provision for a water overland flow path channel. It is proposed this channel is designed to incorporate water sensitive urban design principles and measures. The Precinct is traversed by a Sydney Water concrete culvert.
Deemed State Environmental Planning Policy –Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Yes	There are no elements of this planning proposal that would affect the application of this SEPP.

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

Relevant Section 117 (s117) Ministerial Directions to the proposed development and comment of consistency are identified below (Table 5). A list of all s117 Directions, their relevance confirmation, are provided in Appendix F.

Table 5: Consistency to Relevant s117 Ministerial Directions

Section 117 Direction	Consistent	Comment
1. Employment and resources		
1.1 Business and Industrial Zones	Yes	The objectives include to encourage employment growth in suitable locations and to protect employment land in business zones. The proposed control amendments would increase the area allocated for business activities and hence increase employment opportunities. The location is suitable for employment growth given the R4 High Density residential zoning in the precinct, and residential zoning in the nearby areas, the proximity to public transport (Merrylands interchanges) and to the Merrylands City Centre which provides services and retail support.
2. Environment and Heritage		
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	The Precinct currently includes zoning for R4 High Density Residential the proposed amendment will reduce this area of Residential zoned land; However the B4 Mixed Use and B6 Enterprise Corridor zoning permit residential uses above. The proposed controls amendments are to improve the development feasibility of the Precinct and so are much more likely to be redeveloped. Without the controls many sites are not considered feasible for redevelopment and so the residential component would be less likely to be realised. The Precinct is serviced by utility infrastructure and is adjacent to a public transport (rail and bus) interchange and provides for pedestrian and bicycle modes. The Precinct is to include areas of open space – as both passive recreation areas and to support infrastructure (overland flow channel, culvert). The residential population would be expected to increase economic activity within the Merrylands City Centre.
3. Housing, Infrastructure and Urban Development		
3.4 Integrating Land Use and Transport	Yes	The Precinct is located in close proximity to the Merrylands Interchange (bus and train services) and the Merrylands City Centre (retail and service industries). There are vehicular, pedestrian and bicycle links proposed within the Precinct that extend to surrounding areas. The Precinct is envisaged to support residential and business/commercial land uses.

Section 117 Direction	Consistent	Comment
4. Hazard and Risk		
4.3 Flood Prone Land	Yes	The Precinct has been assessed under the Merrylands CBD Neil Street Precinct Flooding Investigation (28 September 2015) for flood risk. An overland flow path is within the Precinct, alongside the proposed New Road 1. This path is proposed to be zoned as RE1 Public Recreation to protect it from development, and is recommended to be designed adopting Water Sustainable Urban Design Principles. The width of the path has been assessed so as to address the flood risk for the Precinct. The recommended flood risk management scheme, as part of the overall development of the Merrylands City Centre, has been assessed as to significantly reduce the peak flows and hence depths of inundation along the proposed overland flow path. Low hazard flooding conditions would then prevail across the Merrylands city centre.
5. Regional Planning		
6. Local Plan Making		
6.2 Reserving Land for Public Purposes	Yes	The proposed amendments under the Planning Proposal will increase the area of land for public purposes, in particular the RE1 Public Recreation Areas assigned to the overland flow path that can also be an open space landscape feature and an area for passive recreation.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with the aims, objectives and strategies of the Plan.

2.3.3 Section C - Environmental, Social and Economic Impact

Q: 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?

No. The Planning Proposal does not affect any critical habitats, populations or ecological communities. The Precinct is within a developed urban area, itself containing existing buildings and cleared land where no such populations or communities are known to exist.

The Precinct does contain a small vegetation stand associated with A'Beckett Creek in the north east of the Precinct. This has been recognised in the proposed control amendment with a zoning of SP2 Infrastructure – Drainage, in recognition of its role for water drainage, permanent water flow and the connection to the Sydney Water concrete drainage culvert. There are trees scattered across the Precinct.

The Precinct is adjacent to the Holroyd Gardens, to be partially separated by the planned extension to Sheffield Street. This Park consists of managed grass sports fields, pathways, children's play area, picnic facilities and supporting amenities, and as such is regularly disturbed through use and management (mowing etc). There are some stands of planted trees and shrubs around the perimeter of the Park, in a spine from the southern boundary into the central area. Therefore the natural environmental values of the Park, in terms of protected flora and fauna, are limited although the Park does provide habitat to some species and provides social benefits. No changes to the park are proposed as part of the Precinct and impacts would be limited.

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

Traffic

The proposed Structure Plan for the Precinct identifies two (2) new roads and includes the planned extension to Sheffield Street. These new roadways will provide access within the Precinct and connections to the existing road network within and surrounding the Precinct.

The proposed new structure for the Precinct also provides for pedestrian and bicycle access routes through the Precinct and to the surrounding area.

The plans and details of any future redevelopment of individual sites within the Precinct will need to address vehicle access, parking and bicycle and pedestrian movement as part of the Development Application documentation and process.

Amenity

The Vision for the Precinct outlines the intent for a high amenity working and living environment. This Vision has been applied in the proposed design through measures including the additional road access, open space associated with drainage infrastructure and recreational uses, pedestrian and bicycle linkages, visual corridors. Areas of public space are provided, notably the new triangular public park (Neil Street Park - of 1,500m²).

Amenity would be further addressed in the designs for the redevelopment of individual sites and assessed, including against the SEPP 65 for residential flat building proposals, as part of any future development application process for each proposal.

The Precinct should also be regarded in terms of the overall Merrylands City Centre and its proposed Revitalisation concept. The proposed amendments to the planning controls of the Precinct are not in conflict with the scale of development of the city centre being considered under the previously noted Revitalisation Strategy. The range of maximum building heights and FSR within the Precinct would enable an overall gradation of built form from the Merrylands City Centre (applying a maximum building height and FSR) to the adjacent Holroyd Gardens and Brickworks residential estate to the north; and through the eastern end and southern portions of Merrylands Road (maximum building heights of 65m) and beyond.

Contamination

A number of properties within the Precinct are identified as affected by contamination, with Site Audit Statements prepared for some properties. Contamination may be present in the soil of other sites due to historic uses or as within the existing structures (eg building materials containing asbestos).

The Planning Proposal is for a general rezoning of the Precinct; therefore no specific uses or activities are proposed at this stage to enable assessment of sensitivity or acceptability. Zoning within the Precinct is as follows:

- The Precinct is currently zoned for B4 Mixed Use and R4 High Density Residential.
- Properties currently zoned as B4 Mixed Use are to retain that zoning.
- The properties currently zoned for R4 High Density Residential are to (i) retain this R4 High Density Residential Zone or (ii) be rezoned as either B4 Mixed Use or B6 Enterprise Corridor or RE1 Public Recreation or SP2 Infrastructure.

The presence of contamination on a lot, and if necessary its remediation, would be assessed as part of any future Development Application process. This would include consideration of the sensitivity of uses within a proposed development and the suitability of this use to the (contaminated) property and to any site remediation works proposed.

Noise

Issues of noise will need to be addressed within any future Development Application process for the redevelopment of specific sites. In particular there will be noise and vibration considerations for those sites in proximity to the railway line.

There may be noise impacts during the construction phase of the Precinct; however these will be short term and related to the redevelopment of individual sites across the area. It is anticipated that the entire Precinct would be gradually redeveloped and therefore there would be periods of construction activity (not all of which generate noise) and periods with no activity.

The construction of the extension of Sheffield Street may cause disturbance within Holroyd Gardens Park, although this would be short term and affect mainly users in the southern most portion of the Park, noting many of the amenities (children's playground, picnic & bbq facilities, toilets etc) are located in the central to northern portions of the Park.

Flooding

Most of the lots within the Precinct are affected by the 1% Annual Exceedance Probability (AEP). This flood risk is mitigated by the provision of the nominated overland flood path channel alongside New Road 1 and New Road 2. The existing width of the overland flow path between Neil Street and Gladstone Street to accommodate overland flooding is 40m. The Merrylands CBD Neil Street Precinct Flooding Investigation (dated 28 September 2015 – provided at Appendix B) assessed any potential impact on flooding behaviour by narrowing of the overland flow path. This investigation took into account the broader Merrylands CBD Flood Study and Flood Risk Management Options Review 2015.

The Precinct Flooding Investigation determined that, with the completion of the recommended flood risk management scheme as part of the overall Merrylands Centre scheme, that the peak flows and hence depths of inundation along the proposed overland flow path would be significantly reduced.

For the section of the overland flow path located between Neil Street and Gladstone Street, the path width could therefore be reduced to 35m and still accommodate this reduced peak flow and inundation depth. This 35m width has been adopted in the Urban Design Review and subsequently this Planning Proposal. The overland flow path, running beside New Road 1 and New Road 2, has been allocated as open space (zoned as RE1 Public Recreation) in the amended controls to protect it from development and to recognise the opportunity of the path as an open space landscape feature with infrequent water flow. A water management strategy for the overland flow path open space is proposed to be developed and is to incorporate water sensitive urban design measures as deemed appropriate.

Further detail on the flooding issues and the investigations undertaken are provided in Appendix A – Urban Design Report dated October 2015 and Appendix B - Merrylands CBD Neil Street Precinct Flooding Investigation.

The Sydney Water concrete culvert, for which an easement is held, is located in the eastern portion of the Precinct, running roughly parallel to the railway line. This culvert is underground for much of its length within the Precinct except for a small surface opening roughly midway between Neil Street and Terminal Place. Sydney Water advises that their infrastructure, such as this culvert, is not to be built over. This culvert connects into A'Becketts Creek in the north-east of the Precinct.

Q: Has the planning proposal adequately addressed any social and economic effects?

Yes. Details of how the planning proposal addresses social and economic effects are provided below.

Social Effects

The proposed planning control amendments are to encourage redevelopment of the Precinct. As multiple lots and multiple land owners will be affected by the amendments, and as this planning proposal is initiated by Council, no specific development concept is available to enable a targeted assessment of potential social effects. As such the social effects can only be considered in general terms of the proposed amendments and in the context of the locational attributes.

The Vision for the Precinct and the Urban Design Review promotes a quality urban environment with street tree plantings, areas of private and public open space, well designed commercial and residential buildings, internally and externally connected via private and public transport modes, that is safe and appealing. The realisation of these intents would be expected to have a positive social effect on the Precinct and, indirectly to the Merrylands City Centre. Further consideration of how these intents are applied within the proposed amendments and the location of the Precinct. The associated amendments to the Holroyd DCP, and application of SEPP 65 (refer Table 4 above), would also support these intents.

The proposed land use zoning within the Precinct protects areas of open space through the RE1 Public Recreation and SP2 Infrastructure (drainage) zonings. Furthermore, the absence of maximum building heights and FSR values of the proposed (amended) controls gives additional commitment to these areas not being built upon in the future and so being retained as open space without major structures. The Precinct is also adjacent to the Holroyd Gardens Park for passive recreation and will also provide a pleasant outlook for some occupants of buildings in the north of the Precinct.

The proposed plan for the Precinct encourages pedestrian and bicycle movement which, along with the recreation and open space areas and residential components, encourages passive surveillance and street activity. This raises feelings of safety and security and provides opportunities for interaction.

The Precinct is adjacent to the Merrylands Interchange for both bus and train services and is within walking distance of the City Centre for retail and other services. Any future development applications for redevelopment of sites for specific purposes will address on-site parking, access and building design aspects relating to social impacts.

Economic Effects

Impacts to property prices to land parcels within the Precinct, associated with the proposed LEP amendments of this Planning Proposal, are expected.

Preparation and construction of the future infrastructure works (such as roads, overflow drainage path) and of the various building elements (commercial and residential) within the Precinct would provide short term employment opportunities and economic benefit through materials purchases. The timeframe for redevelopment of each private land parcel will be related to landowner/developer interest and market activity and may be staggered over a long period of time.

The occupation and activity of the commercial elements within the Precinct will provide employment opportunities and economic activity. These commercial activities as well as the residential components would provide an ongoing economic benefit for the Merrylands Centre associated with the increased local population and use of those retail and other services.

2.3.4 Section D - State and Commonwealth interests

Q: Is there adequate public infrastructure for the planning proposal?

Yes. There is, or is planned to be, adequate public infrastructure for the planning proposal.

The Precinct has access to existing utility services, which supply existing and previous uses of the lots within the Precinct and the adjacent Merrylands City Centre.

Two new local roads, identified as New Road 1 and New Road 2 in the proposed amendment figures (per Figure 7; Figure 8; and Figure 9) are proposed as part of the development concept which will connect with the existing road network. New Road 1 is to run north-south connecting to the Sheffield Street extension (northern end) and Terminal Place (southern end). New Road 2 will be a T-shape off New Road 1 with one endpoint connecting with Dressler Circuit (to the north) and the other ceasing at the eastern property boundary.

Segments Neil Street and Pitt Street within the precinct area are Classified (Secondary) Roads of the NSW Road network. As such these road segments come under the responsibility of Roads & Maritime Services (RMS).

The Precinct is adjacent to public parkland, Holroyd Gardens, supporting passive and active recreational activities. Open space is allocated within the Precinct to support drainage networks, to encourage pedestrian activity and recreation and for amenity.

Footpaths and pedestrian / bicycle links have been proposed within the Precinct and to connect to the key areas of the transport interchange, the Merrylands City Centre and Holroyd Gardens.

Further areas of public space and access routes would be provided as part of future development of individual lots within the Precinct.

The Holroyd Section 94 Development Contributions Plan 2013 (s94 Plan) identifies the future redevelopment of the Neil Street Precinct and gives specific recognition to the costs of constructing the new roads, the new Neil Street Precinct Park and the drainage works needed to support that redevelopment. Other infrastructure and facility works as outlined in the s94 Plan, for the Merrylands City Centre (including those related to the centre's revitalisation as well as general improvements) and to local parks / recreational areas, may also benefit the future occupants of the Precinct.

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

Land owners who have development applications lodged with Council have undertaken consultation with relevant State Government authorities in relation to their proposed developments.

Council has not undertaken direct consultation with RMS, Sydney Water or Sydney Trains in relation to this Planning Proposal. However Council has been in contact with Sydney Water in respect of the flooding studies undertaken for the Merrylands City Centre including the Precinct.

All relevant authorities identified in the Gateway Determination will be consulted.

2.4 Part 4 Mapping

Relevant maps are contained within this document (Figure 7; Figure 8; and Figure 9) and at Appendix E.

2.5 Part 5 Community Consultation

It is proposed to publicly exhibit the Planning Proposal for a period of twenty-eight days or as specified in the Gateway Determination. Exhibition material will contain a copy of the Planning Proposal and relevant maps supported by a written notice that describes the objectives and intended outcomes of the proposal, the land to which the proposal applies and an indicative time frame for finalisation of the planning proposal. Consultation will not occur until receipt of the 'Gateway Determination'.

The proposed consultation methodology will include, but not limited to:

- Forwarding a copy of the planning proposal and the Gateway Determination to State and Commonwealth public authorities identified in the Gateway Determination.
- Giving notice of the public exhibition in the main local newspaper circulating in the Holroyd LGA.
- Notifying exhibition of the Planning Proposal on Council's web site, libraries and customer service counters including copies of all relevant documentation.
- Notifying all affected property owners and adjoining property owners of matters where there is a proposed change in zoning or density.
- Circulating copies of the exhibition material within Council.

2.6 Part 6 Project Timeline

Table 6 provides an indicative timeline for progression of the Planning Proposal.

Table 6: Indicative Planning Proposal timeline

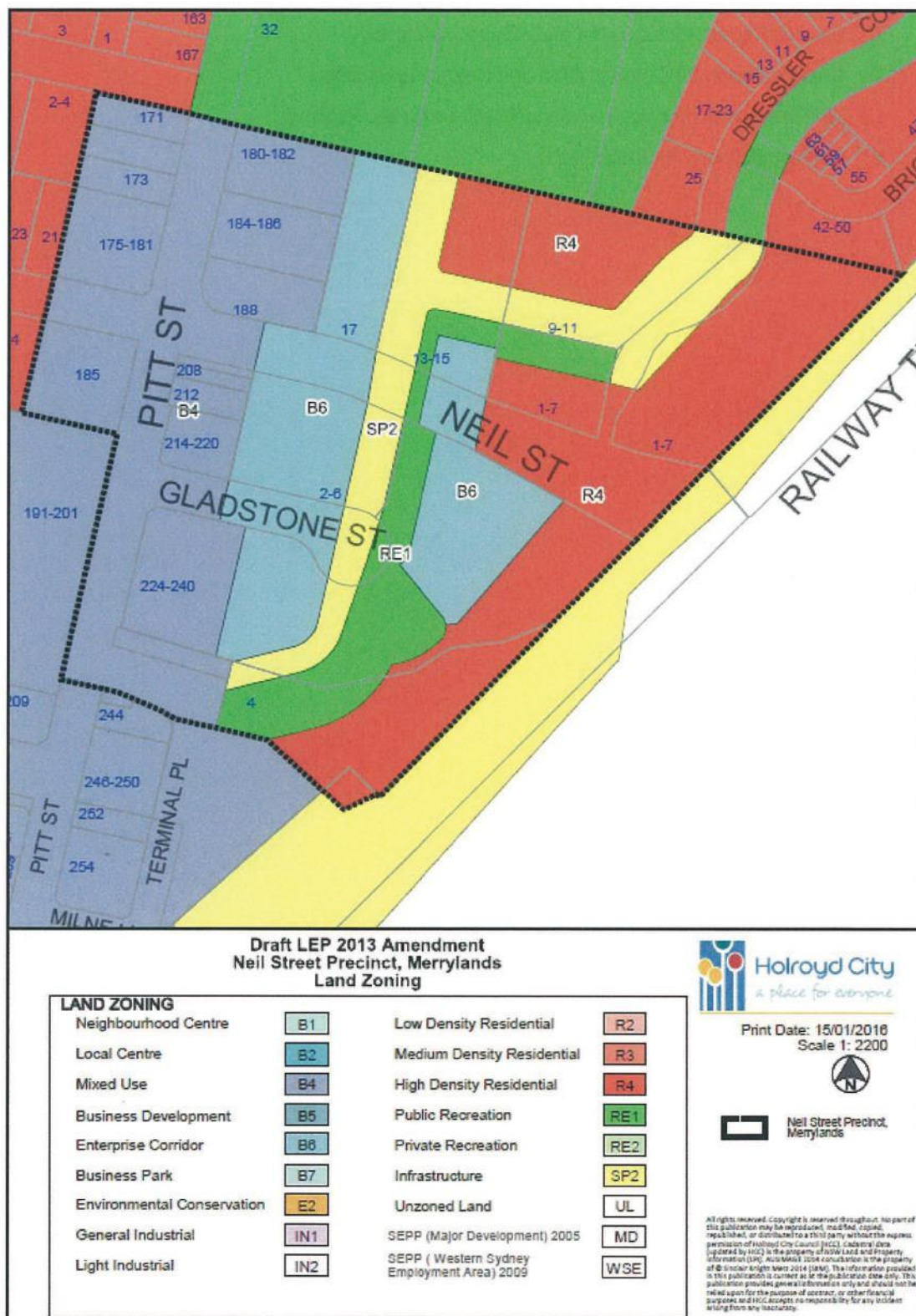
Milestone	Timeframe
1. Estimated date Council considers the Planning Proposal and formally requests Gateway Determination.	December 2015 – 26 February 2016
2. Estimated date Gateway Determination is issued.	April 2016
3. Estimated commencement date of public exhibition period, nominated as 28 days.	1 June 2016
4. Estimated timeframe for consideration of submissions.	July – August 2016
5. Date reported to Council.	September 2016
6. Estimated date LEP amendments are gazetted.	November 2016

Appendix List

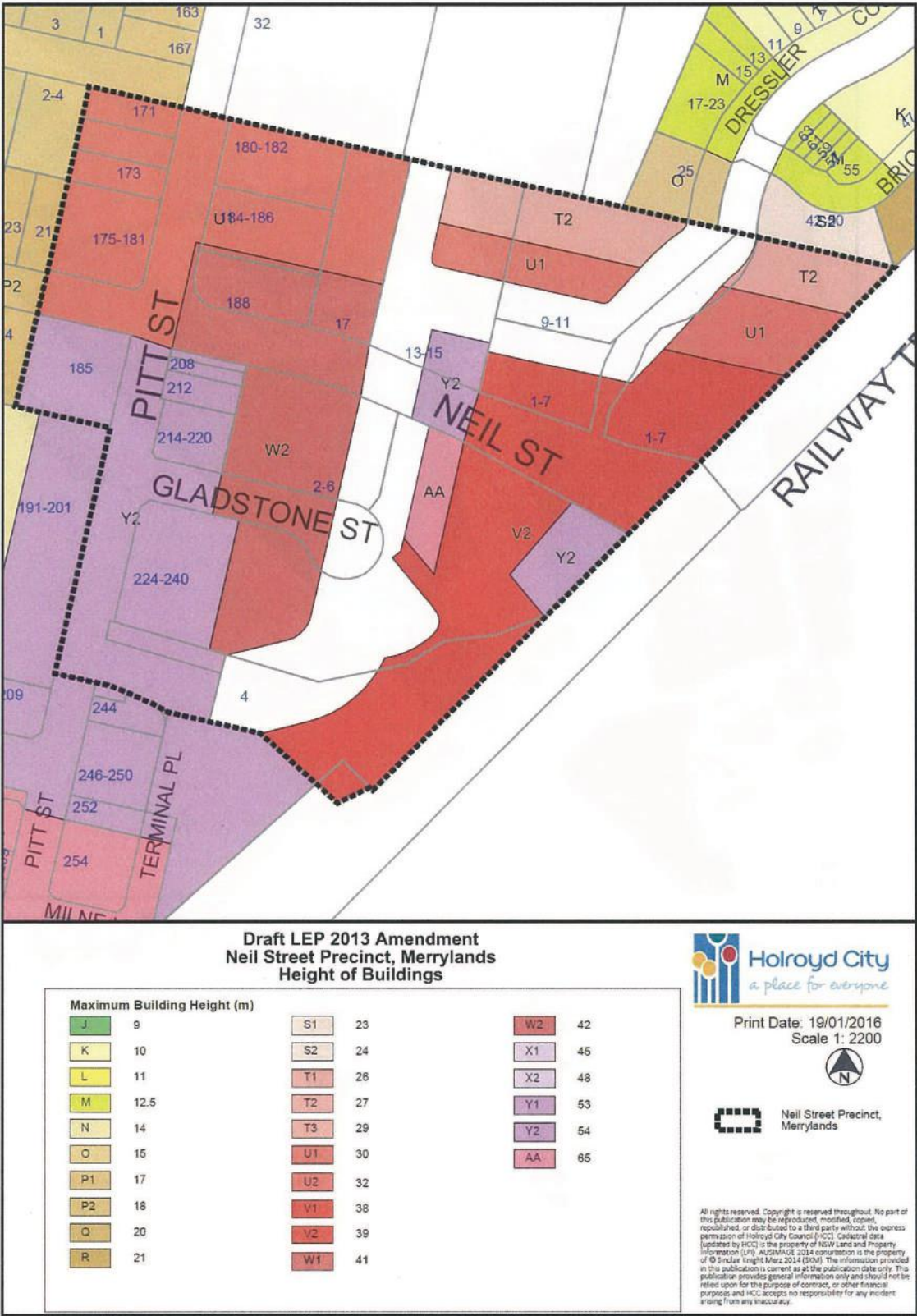
- A. Neil Street Precinct Urban Design Review Report – dated October 2015
- B. Merrylands CBD Neil Street Precinct Flooding Investigation – dated 28 September 2015
- C. Council Report 15 July 2014 and Council resolution
- D. Council Report 20 October 2015 and Council resolution.
- E. LEP Maps with proposed amended controls for the Precinct.
- F. Consistency with Strategic Plans

APPENDIX E – LEP Maps with proposed amended controls for the Precinct.

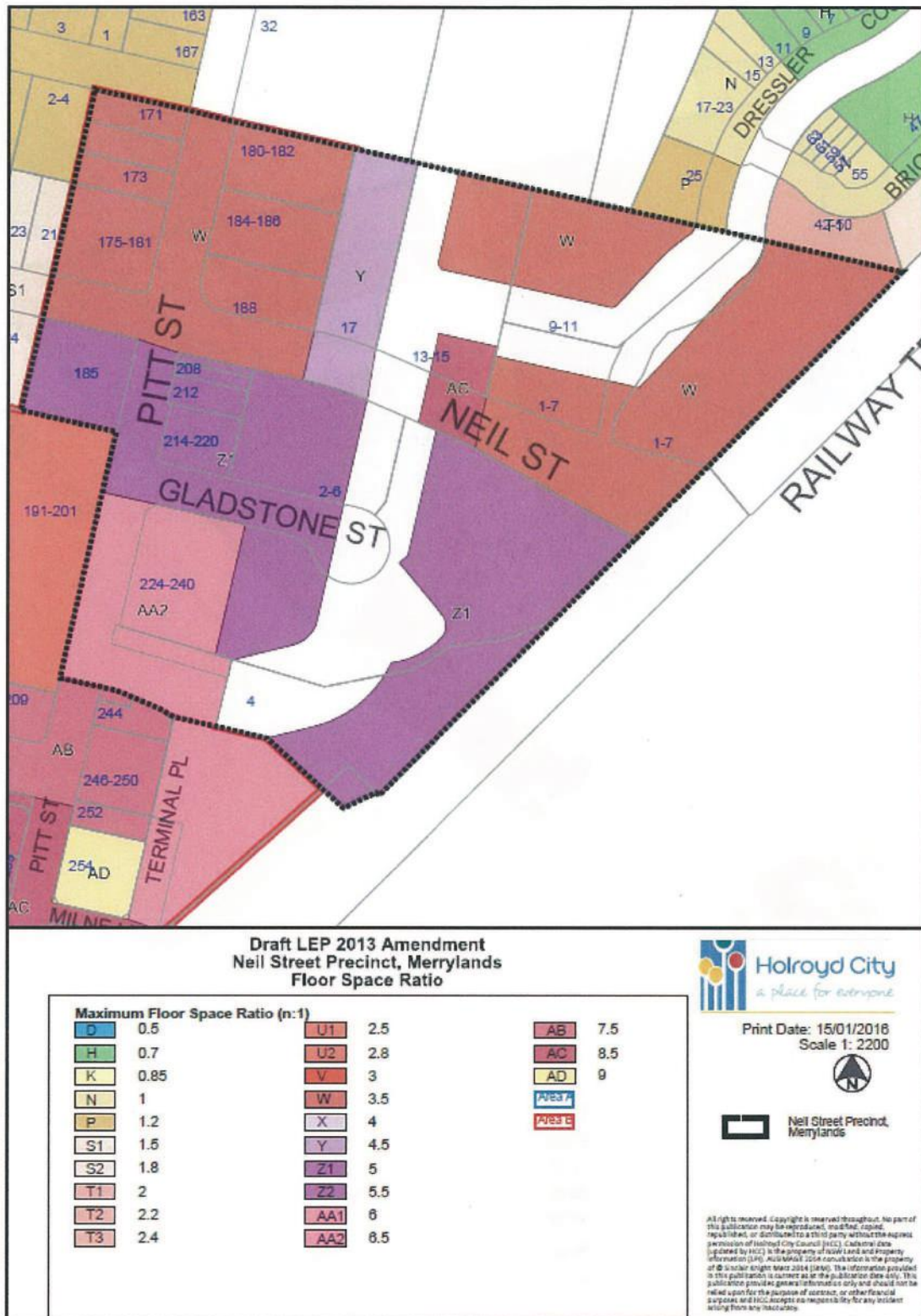
Holroyd LEP 2013 - Proposed Amendment - Land Zoning Map



Holroyd LEP 2013 – Proposed Amendment – Maximum Height of Buildings (HOB) Map



Holroyd LEP 2013 - Proposed Amendment – Floor Space Ratio (FSR) Map



APPENDIX F – Consistency with Strategic Plans

Relevance and Consistency with “A Plan for Growing Sydney” Goals and Directions

Goal 1: A competitive economy with world-class services and transport

Direction		Relevant	Comment
1.1	Grow a more internationally competitive Sydney CBD	No	The Precinct is not within the Sydney CBD
1.2	Grow Greater Parramatta – Sydney’s second CBD	No	The Precinct is not within the Greater Parramatta city area. The scale of the potential development enabled by the development concept is not expected to have a significant impact on Greater Parramatta city.
1.3	Establish a new Priority Growth Area – Greater Parramatta to the Olympic Peninsula	No	The Precinct is not within this Priority Growth Area.
1.4	Transform the productivity of Western Sydney through growth and investment	Yes	Although the proposed development enabled is not sufficiently large to ‘Transform’ Western Sydney, it will contribute to the investment in and growth of the Merrylands City Centre as part of the Western Sydney region.
1.5	Enhance capacity at Sydney’s gateways and freight networks	No	The Precinct is not within the key gateways or freight networks of Sydney.
1.6	Expand the Global Economic Corridor	No	The Precinct is not within the Global Economic Corridor
1.7	Grow strategic centres – providing more jobs closer to home	No	Merrylands is not identified as a strategic centre within Sydney. However the development concept envisaged under the amended planning controls will enable construction of both dwellings and business premises, accessible will provide jobs only during construction.
1.8	Enhance linkages to regional NSW	No	Not applicable. The Development Concept does not include a transport linkage component.
1.9	Support priority economic sectors	Yes	The Precinct has the potential to support priority economic sectors such as creative industries, digital economy, education and professional services within the Business-type zoned areas.
1.10	Plan for education and health services to meet Sydney’s growing needs.	No	The proposed development concept does not specifically include education or health services.
1.11	Deliver infrastructure	Yes	The development concept provides for the construction of two new roads, and to protect drainage infrastructure (culvert and channel) with provision of associated open space.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles			
Direction		Relevant	Comment
2.1	Accelerate housing supply across Sydney	Yes	The Planning Proposal will enable the redevelopment of lots within the Precinct for uses including residential flat buildings. These will be located near employment opportunities (within the Merrylands city centre or as accessed by transport), services as provided in the western Sydney region, and with nearby public transport options.
2.2	Accelerate urban renewal across Sydney – providing homes closer to jobs	Yes	The Planning Proposal will enable the redevelopment of lots within the Precinct for residential flat buildings. These will be located near employment opportunities (within the Merrylands city centre or as accessed by transport), services as provided in the western Sydney region, and with nearby public transport options. The planning proposal will enable the redevelopment of lots for business and commercial uses – providing employment opportunities for residents (local or as accessed by transport modes). The redevelopment will increase the number of dwellings on the Site. The Precinct incorporates and is adjacent to open space and park areas.
2.3	Improve housing choice to suit different needs and lifestyles	Yes	The Planning proposal will enable the redevelopment of lots within the Precinct for uses including residential flat buildings. This is appropriate given the proximity of the Precinct to the Merrylands City Centre and transport options. It is expected the residential flat buildings will provide for a range of dwelling sizes in accordance with the Holroyd DCP. This will improve housing choice in respect of housing options within the Merrylands Suburb.
2.4	Deliver timely and well planned greenfield precincts and housing	No	The site is not a greenfield precinct.

Goal 3: A great place to live with communities that are strong, healthy and well connected			
Direction		Relevant	Comment
3.1	Revitalise existing suburbs	Yes	The Precinct is within an established suburban. The Planning Proposal amendments will enable and encourage investment in the Precinct for new buildings accommodating dwellings and (where zoned appropriately) business and commercial interests. The Precinct, while previously developed, contains a number of vacant buildings or vacant blocks which therefore have little to no activity. The Precinct is in proximity to public transport modes and is to have vehicle and pedestrian connections to the adjacent Merrylands City Centre and surrounding area. The Precinct is adjacent to Holroyd Gardens and areas of Open Space are provided within the Precinct.
3.2	Create a network of interlinked, multipurpose open and green spaces across Sydney	Yes	The Precinct concept allocates areas of open space – some of which is zoned as such. Open Space will also be provided associated with drainage infrastructure and so unsuitable for development of buildings. The Precinct also contains an area of open space associated with A'Becketts Creek, which connects into Holroyd Gardens to the north.
3.3	Create healthy built environments	Yes	The Precinct is located within walking distance of the Merrylands Interchange for bus and train (Merrylands station) services, and Merrylands City Centre. New Pedestrian and cycle ways connecting the Precinct to the surrounding area are nominated. Open space would be expected as part of the development concept for future Development Applications for residential flat buildings within the Precinct – as required under the SEPP.
3.4	Promote Sydney's heritage, arts and culture	No	The Precinct does not include a heritage, arts or culture component.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources			
Direction		Relevant	Comment
4.1	Protect our natural environment and biodiversity	Yes	No significant natural environmental values are identified within the Precinct. A'Becketts Creek, located in the north-east corner of the Precinct, and which forms part of the drainage network for the area including as a channel for overland flow, is to be protected. The Creek is proposed to be rezoned to SP2 Infrastructure in recognition of its role as a drainage channel. However it is intended that this creek will form part of the green open space network within the Precinct – with vegetation retained as part of the creek channel. No changes are proposed to the adjacent Holroyd Gardens.
4.2	Build Sydney's resilience to natural hazards	Yes	The Precinct is affected by a 1% Annual Exceedance Probability (AEP), an overland flow path and Sydney Water drainage culvert. These have been accommodated and protected with the provision corridors of open space.
4.3	Manage the impacts of development on the environment	Yes	Details of the building design, construction activities management and measures to incorporate ecologically sustainable development principles will be identified at any future Development Application process.

Consistency with applicable State Environmental Planning Policies

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy No 1 – Development Standards	N/A	N/A
State Environmental Planning Policy No 14 - Coastal Wetlands	N/A	N/A
State Environmental Planning Policy No 15 -Rural Land sharing Communities	N/A	N/A
State Environmental Planning Policy No 19 -Bushland in Urban Areas	N/A	N/A
State Environmental Planning Policy No 21- Caravan Parks	N/A	N/A
State Environmental Planning Policy No 26 -Littoral Rainforests	N/A	N/A
State Environmental Planning Policy No 29 -Western Sydney Recreation Area	N/A	N/A
State Environmental Planning Policy No 30 -Intensive Agriculture	N/A	N/A
State Environmental Planning Policy No 32 -Urban Consolidation (Redevelopment of Urban Land)	YES	This SEPP is to ensure redevelopment of appropriate sites for housing including higher density housing, located near employment, transport and supporting infrastructure. The Site of this proposal meets those criteria.
State Environmental Planning Policy No 33 -Hazardous and Offensive Development	N/A	N/A
State Environmental Planning Policy No 36 -Manufactured Home Estates	N/A	N/A
State Environmental Planning Policy No 39 - Spit Island Bird Habitat	N/A	N/A
State Environmental Planning Policy No 44 -Koala Habitat Protection	N/A	N/A
State Environmental Planning Policy No 47 -Moore Park Showground	N/A	N/A
State Environmental Planning Policy No 50 -Canal Estate Development	N/A	N/A
State Environmental Planning Policy No 52 -Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	N/A

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy No 55 -Remediation of Land	Yes	A number of properties within the Precinct are identified as affected by contamination, with Site Audit Statements prepared for some properties. The Planning Proposal is for a general rezoning of the Precinct following a review by Council of the development feasibility of the Precinct. The Precinct is currently zoned for B4 Mixed Use and R4 High Density Residential. The Planning Proposal does include rezoning of land within the Precinct. However, the properties currently zoned as B4 Mixed Use are to retain that zoning. The properties currently zoned for R4 High Density Residential are to (i) retain this R4 High Density Residential Zone or (ii) be rezoned as either B6 Enterprise Corridor or RE1 Public Recreation or SP2 Infrastructure. The contamination of properties within the Precinct would need to be addressed as part of any future Development Application for lots within the Precinct, including the sensitivity of uses within a proposed development and the suitability of this use to the (contaminated) property with consideration to any remediation works proposed.
State Environmental Planning Policy No 55 -Remediation of Land	YES	There is the potential for contamination within the Precinct due to current and previous uses. This would need to be assessed and addressed as part of any future Development Application for lots within the Precinct.
State Environmental Planning Policy No 59 -Central Western Sydney Regional Open Space and Residential	N/A	N/A
State Environmental Planning Policy No 62 -Sustainable Aquaculture	N/A	N/A
State Environmental Planning Policy No 64 -Advertising and Signage	N/A	N/A
State Environmental Planning Policy No 65 -Design Quality of Residential Flat Development	YES	The Precinct nominates land use zonings that permit residential dwellings (apartments) – such proposed developments will be subject to this SEPP. Detailed design of the buildings and apartments as part of any future development application process would need to demonstrate consistency with and application of this SEPP.

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy No 70 -Affordable Housing (Revised Schemes)	N/A	N/A
State Environmental Planning Policy No 71 -Coastal Protection	N/A	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	N/A	N/A
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	YES	The Precinct enables redevelopment of the sites for uses that will be subject to this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	N/A	N/A
State Environmental Planning Policy (Infrastructure) 2007	YES	The Precinct is located adjacent to the rail corridor and therefore future redevelopment in this vicinity will trigger this SEPP. The Precinct includes classified roads of Neil and Pitt Streets and so development fronting these roads will trigger the SEPP. The planning proposal is to amend planning controls and so encourage redevelopment of the Precinct for a mix of residential and commercial uses. Such developments will increase the number of traffic movements on the local and surrounding road network and cumulative to any other increase in traffic over time and as associated with the revitalisation of the Merrylands City Centre (separate project). Future road infrastructure works to support this growth are likely to be required. The Precinct design includes provision for a water overland flow path channel. It is proposed this channel is designed to incorporate water sensitive urban design principles and measures. The Precinct is traversed by a Sydney Water concrete culvert.
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	N/A	N/A
State Environmental Planning Policy (Kurnell Peninsula) 1989	N/A	N/A

Relevant State Environmental Planning Policies	Consistent	Comment
State Environmental Planning Policy (Major Development) 2005	N/A	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	N/A
State Environmental Planning Policy (Rural Lands) 2008	N/A	N/A
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	N/A	N/A
State Environmental Planning Policy (State and Regional Development) 2011	N/A	N/A
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A	N/A
State Environmental Planning Policy (Temporary Structures) 2007	N/A	N/A
State Environmental Planning Policy (Urban Renewal) 2010	N/A	N/A
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	N/A
Deemed State Environmental Planning Policy – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	YES	There are no elements of this planning proposal that would affect the application of this SEPP.
Deemed State Environmental Planning Policy – Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment	N/A	N/A

Consistency with applicable Ministerial Directions (s117 directions)

Section 117 Direction	Consistent	Comment
1. Employment and resources		
1.1 Business and Industrial Zones	YES	The objectives of this direction include to encourage employment growth in suitable locations and to protect employment land in business zones. The proposed control amendments would increase the area allocated for business activities and hence employment increase employment opportunities. The location is suitable for employment growth given the R4 High Density residential zoning in the precinct, and residential zoning in the nearby areas, the proximity to public transport (Merrylands interchanges) and to the Merrylands City Centre which provides services and retail support.
1.2 Rural Zones	N/A	N/A
1.3 Mining, Petroleum Production and Extractive Industries	N/A	N/A
1.4 Oyster Aquaculture	N/A	N/A
1.5 Rural Lands	N/A	N/A
2. Environment and Heritage		
2.1 Environment Protection Zones	N/A	N/A
2.2 Coastal Protection	N/A	N/A
2.3 Heritage Conservation	N/A	N/A
2.4 Recreation Vehicle Areas	N/A	N/A

3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	The Precinct currently includes zoning for R4 High Density Residential the proposed amendment will reduce this area of Residential zoned land, however the B4 Mixed Use and B6 Enterprise Corridor zoning permit residential uses above. The proposed controls amendments are to improve the development feasibility of the Precinct and so are much more likely to be redeveloped. Without the controls many sites are not considered feasible for redevelopment and so the residential component would be less likely to be realised. The Precinct is serviced by utility infrastructure and is adjacent to a public transport (rail and bus) interchange and provides for pedestrian and bicycle modes. The Precinct is to include areas of open space – as both passive recreation areas and to support infrastructure (overland flow channel, culvert). The residential population would be expected to increase economic activity within the Merrylands City Centre.
3.2 Caravan Parks and Manufactured Home Estates	N/A	N/A
3.3 Home Occupations	N/A	N/A
3.4 Integrating Land Use and Transport	YES	The Precinct is located in proximity to the Merrylands Interchange (bus and train services), the Merrylands City Centre (retail and service industries). There are vehicular, pedestrian and bicycle links proposed within the Precinct and extending to these surrounding areas. The Precinct is envisaged to support residential and business/commercial land uses.
3.5 Development Near Licensed Aerodromes	N/A	N/A
3.6 Shooting Ranges	N/A	N/A

4. Hazard and Risk		
4.1 Acid Sulphate Soils	N/A	N/A
4.2 Mine Subsidence and Unstable Land	N/A	N/A
4.3 Flood Prone Land	Yes	The Precinct has been assessed under the Merrylands CBD Neil Street Precinct Flooding Investigation (28 September 2015) for flood risk. An overland flow path is within the Precinct, alongside the proposed New Road 1. This path is proposed to be zoned as RE1 Public Recreation to protect it from development, and is recommended to be designed adopting Water Sustainable Urban Design Principles. The width of the path has been assessed so as to address the flood risk for the Precinct. The recommended flood risk management scheme, as part of the overall development of the Merrylands city centre, has been assessed as to significantly reduce the peak flows and hence depths of inundation along the proposed overland flow path. Low hazard flooding conditions would then prevail across the Merrylands city centre.
4.4 Planning for Bushfire Protection	N/A	N/A
5. Regional Planning		
5.1 Implementation of Regional Strategies	N/A	N/A
5.2 Sydney Drinking Water Catchments	N/A	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A
5.9 North West Rail Link Corridor Strategy	N/A	N/A

6. Local Plan Making		
6.1 Approval and Referral Requirements	N/A	N/A
6.2 Reserving Land for Public Purposes	YES	The proposed amendments under the Planning Proposal will increase the area of land for public purposes, in particular the RE1 Public Recreation Areas assigned to the overland flow path that can also be an open space landscape feature and an area for passive recreation.
6.3 Site Specific Provisions	N/A	N/A
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with the aims, objectives and strategies of the Plan.