

PLANNING PROPOSAL

To rezone 190-220 Dunmore Street, Pendle Hill from
IN2 Light Industrial to R4 High Density Residential, B2
Local Centre and RE1 Public Recreation

September 2016



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1 Introduction

This planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and relevant guidelines produced by the Department of Planning and Environment.

The purpose of the planning proposal is to seek an amendment to Holroyd Local Environmental Plan 2013 (HLEP 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.

1.1 Background

The subject site is situated at 190-192 Dunmore Street, Pendle Hill and covers an area of approximately 8 hectares. The site is currently zoned IN2 Light Industrial and is identified as a heritage item under Holroyd LEP 2013. The site has been used for industrial purposes (manufacturing and distribution of textiles) since 1923, was the first spinning mill in the Southern Hemisphere and was the birthplace of the Bonds clothing brand.

Over recent years, the manufacturing operations on the site were scaled down and have now ceased, as the former owner of the site, Pacific Brands, considered these uses to no longer be suitable at this location.

In early 2010 Pacific Brands advised Council of its intention to pursue a rezoning of the site to allow for residential development. During the 2010 exhibition of the Draft Holroyd LEP, a submission was received from Pacific Brands, objecting to the proposed IN2 Light Industrial zoning (a translation of the former 4(b) zone) on the basis that this is no longer suitable. In order that the Holroyd comprehensive LEP proceed in a timely manner, Council advised Pacific Brands that they should submit a rezoning request, which would proceed through the gateway process.

A rezoning application, including a heritage assessment and concept masterplan for the site, was submitted to Council in February 2011. This proposal was for high density residential development of 2-7 storeys with a yield of around 600 dwellings, and small-scale retail/commercial. Council resolved at its meeting on 16 August 2011 to prepare a planning proposal to rezone the site. However, the information requested by Council was not provided and as such a planning proposal did not progress to 'Gateway'.

In June 2013, Council received a further rezoning request (proposal) prepared by CBRE Pty Ltd on behalf of the owners of the site, Rainbowforce Pty Limited. The proposal, as originally submitted, sought to rezone the subject land from its current IN2 Light Industrial zone to B4 Mixed Use zone under Holroyd LEP 2013. Following an initial assessment and meeting with Council strategic planning officers (in which the advice was provided that this zone could not be applied in this location under State guidelines), the proposal was then amended on 1 August 2013 to propose to rezone the subject land as follows:

- R4 High Density Residential zone with additional permitted uses for 'commercial premises' (retail, business and office) across the entire site;
- A maximum FSR of 3:1 across the entire site;
- A maximum building height of 53m (up to 17 storeys) across the entire site.

The key elements of the development concept were:

- A dwelling yield of over 1,800 dwellings;
- Building heights scaling up from 4 storeys on the edges to 17 storeys in the centre;
- Around 8,500sqm of retail, business and commercial in retained heritage buildings (constituting a new local centre);
- 1.5ha of public open space comprising a central local park and other smaller grassed and public domain areas.

Council's assessment of the supporting documentation indicated that while it generally provided the information required by the DP&E guidelines, much of the information was incomplete and many adverse impacts of the proposal were not sufficiently addressed.

In May 2014, Council received a revised proposal prepared by CBRE Pty Ltd on behalf of the owners of the site, J.S.T (NSW) Pty Ltd, which generally addressed the concerns raised with the previous proposal. The revised proposal sought to rezone the subject land from its current IN2 Light Industrial zone to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation under Holroyd LEP 2013.

The majority of the site was proposed to be zoned R4 High Density Residential. The B2 Local Centre zone was proposed for part of the heritage precinct in the northern part of the site, reflecting the intention to accommodate commercial uses in retained heritage buildings. The RE1 zone reflected the proposed 'central' park in the north-eastern part of the site, being the main area of local open space. The proponent sought building heights up to 17 storeys in the centre of the site, transitioning to 3-6 storeys at the edges, with Floor Space Ratios from 0.7:1 to 3.2:1.

Given the previous comments issued to the proponent indicating that Council would not support 17 storey building heights on the site, two further options of reduced scale and density were developed. All three options were reported to Council on 7 October 2014, and Council resolved to support a moderate-scale concept with building heights up to 12 storeys. A Gateway Determination was issued for this proposal on 23 February 2015 (PP_2015_HOLRO_003_00).

Subsequent to the Gateway being issued the proponent engaged a new architect and a revised concept plan for the site was prepared, consistent with the maximum 12 storey building height resolved by Council. A further rezoning request based on the new concept was submitted to Council on 10 November 2015. The revised proposal sought a dwelling yield of around 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 and as such a second option was put forward to Council. This option 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 it was considered would be more appropriate for the site. The two options were reported to Council on 19 April 2016 and Council endorsed a variation of Option 2, which is outlined as follows:

- 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.

- 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.

Given the nature and extent of the changes to the proposal including amended height and FSR maps, it would not be possible to proceed to formal community consultation with the revised proposal, under the current Gateway Determination. As such, a new Gateway Determination is required.

1.1 Land to which the Planning Proposal applies

The location of the subject site is shown in Figure 1.

Figure 1 – Location of subject site



(Source: Sixviewer, Dept of Lands)

1.2 Current Planning Controls

Holroyd Local Environmental Plan 2013

Zoning

The subject lands are currently zoned IN2 Light Industrial under Holroyd Local Environmental Plan 2013.

The objectives of the IN2 zone are:

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

Height of buildings

Pursuant to Clause 4.3 of HLEP 2013 the areas subject to this Proposal currently have no maximum height limit.

Floor space ratio

Pursuant to Clause 4.4 of HLEP 2013 the areas subject to this Proposal currently have no maximum FSR.

Heritage

Pursuant to Schedule 5 of HLEP 2013, the subject area is an archaeological site and an item of environmental heritage is located within the subject area. This is identified in Attachment 2 of this Proposal.

Holroyd Development Control Plan 2013

Holroyd Development Control Plan 2013 (Holroyd DCP) came into effect on 5 August 2013. Industrial development within the IN2 Light Industrial zone that currently applies to the site subject to this Proposal is in particular subject to Part D Industrial Controls.

2 The Planning Proposal

2.1 Objectives and Intended Outcomes

This 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;
- 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.

2.2 Explanation of Provisions

The majority of the site is proposed to be zoned R4 High Density Residential. The B2 Local Centre zone is proposed for part of the heritage precinct in the northern part of the site, reflecting the intention to accommodate commercial uses in retained heritage buildings. The RE1 zone is proposed for the park in the north-eastern part of the site, which is the main area of open space.

The proposed outcomes will be achieved by:

- amending the Holroyd LEP 2013 Land Zoning Map in accordance with the proposed zoning map provided in Attachment 1, which shows the following new zones within the site:
 - R4 High Density Residential
 - B2 Local Centre
 - RE1 Public Recreation

- amending the Holroyd LEP 2013 Floor Space Ratio Map in accordance with the proposed floor space ratio map provided in Attachment 1, which shows the following maximum floor space ratios within the site (as instructed by the Gateway Determination):
 - 0.7:1 (B2 zone)
 - 1.2:1 (R4 zone within heritage precinct)
 - 2.3:1 (R4 zone south of heritage precinct)
- amending the Holroyd LEP 2013 Height of Buildings Map in accordance with the proposed height of buildings map provided in Attachment 1, which shows the following maximum building heights within the site:
 - 14m (4 storeys) in the front (northern) portion of the site
 - 39m (12 storeys) in the central portion of the site
 - 27m (8 storeys) predominantly surrounding the 12 storey component and extending to the eastern and western boundaries of the site
 - 12.5m (3 storeys) along the southern & south-western boundaries
- amending the Holroyd LEP 2013 Lot Size Map in accordance with the proposed lot size map provided in Attachment 1, which shows a minimum lot size of 900m² in the proposed R4 and B2 zones, and no minimum lot size in the RE1 zone.

2.3 Justification

This section details the reasons for the proposed outcomes and is based on a series of questions outlined in the Department of Planning and Infrastructure's *A Guide to Preparing Planning Proposals* 2012. Heads of consideration include the need for the planning proposal from a strategic planning viewpoint, implications for State and Commonwealth agencies and environmental, social and economic impacts.

2.3.1 Need for the Planning Proposal

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

The rezoning of the Bonds site has been identified in Council's Residential Development Strategy, and has been the subject of several Council reports.

Council's Residential Development Strategy refers to the potential rezoning of the Bonds site for residential purposes. Strategy PH1.10 states 'Investigate the potential for rezoning of the Bonds site on Dunmore Street to residential (this site is currently zoned for light industrial uses). Rezoning of this area should be subject to the preparation of a Precinct Plan that identifies an appropriate mix of dwelling types & densities and appropriate building heights, incorporates open space provision and provides public vehicle and pedestrian/cyclist access between Dunmore Street and Jones Street'.

The proposed rezoning of the Bonds site has been reported to Council on several occasions over the course of 3 years. It was first considered by Council at its meeting on 31 May 2011, as part of its consideration of the exhibition of Draft Holroyd LEP 2010 (as it was then known). As the LEP was well-advanced at the time Council received the rezoning application from Pacific Brands, Council resolved to retain the IN2 zone for the site and to consider the rezoning application separately.

Subsequent Council reports are outlined as follows:

- 16 August 2011 – Council resolved to prepare a planning proposal to rezone the site subject to further information being provided
- 29 October 2013 – strategic merit assessment of new proposal submitted by the new owners, indicating further information required
- 7 October 2014 – assessment indicated that revised proposal had strategic merit and recommended that a planning proposal be forwarded to the DP&E.
- 19 April 2016 – assessment indicated that revised proposal had strategic merit and recommended that a planning proposal be forwarded to the DP&E (a copy of the report considered by Council is included as Attachment 3 in Section 3).

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

The planning proposal is the best means of achieving the objectives or intended outcomes. These are addressed as follows:

Enabling redevelopment of land in close proximity to the existing Pendle Hill centre and railway station for high density housing, community and neighbourhood commercial uses and public open space

- By incorporating a mix of commercial and high density residential uses the proposal provides an optimal land use for a site in close proximity to a local centre and railway station. There are limited sites of this size in close proximity to rail infrastructure that would allow for development of new housing, commercial uses and public open space.
- The proposal would provide publicly accessible open space including a local park of 0.53 hectares. It would be more difficult and create a greater impact on the local community for Council to provide additional local open space through land acquisition.

Acknowledge and 'celebrate' the important contribution of Bonds Spinning Mills to the history and development of Pendle Hill and its community

- The proposal provides an effective means of acknowledging the site's contribution to the history and development of Pendle Hill. Rezoning for high density development would enable greater investment into restoration and maintenance of heritage items than would a lower density use of the site. Adaptive reuse of heritage buildings for retail and community uses would also be more desirable than the buildings remaining unused.

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.

- The proposal would make a positive contribution to the Pendle Hill neighbourhood by providing a high quality residential precinct, commercial space for local businesses and a new public park, as well as celebrating the site's iconic heritage significance through the adaptive reuse of historical buildings.
- The proposal would provide land uses that are more compatible with the surrounding neighbourhood than the existing light industrial zoning allows for. The proposal provides for a transitioning of building heights from the surrounding development, to avoid overlooking, overshadowing and minimise visual impact.

- The proposal would provide a high standard of urban design and an integrated design solution which could not be achieved on a smaller site or through individual developments.

2.3.2 Relationship to strategic planning framework

Q: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The draft West Central Sub-regional Strategy 2007 (WCSRS 2007) specifically identifies the Bonds Spinning Mills Site as an industrial site suitable for an alternate zoning. The Strategy stipulates that:

“Given the mainly residential nature of the locality and the availability of more suitable Employment Lands at the nearby Girraween (See Precinct No. 46) precinct, this site may be considered for alternative development, but only if existing operations cease.”

The proposal is also consistent with other objectives and actions of the Strategy, outlined as follows:

- Providing for housing growth close to public transport corridors and centres
- Improving housing choice and affordability
- Providing local employment opportunities
- Conserving cultural heritage
- Improving recreational facilities and access to open space

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

The Planning Proposal is consistent with Holroyd Council’s Community Strategic Plan. The plan establishes a central vision for Holroyd for 20 years into the future. By 2031, the former Holroyd Local Government Area is expected to accommodate an additional 30,000 people and 11,000 new homes. The Planning Proposal supports the objectives of the Community Strategic Plan in that it will provide additional dwellings to accommodate anticipated population growth within close proximity to an established public transport node and town centre.

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

Table 1 below lists all relevant State Environmental Planning Policies for the areas subject to this Proposal. As demonstrated, the planning proposal does not contain any provisions that would be inconsistent with the objectives of the relevant SEPPs.

Table 1 - Consistency with applicable SEPP’s

Relevant State Environmental Planning Policies	Consistent
SEPP 19 Bushland in Urban Areas	Yes
SEPP 32 Urban Consolidation (Redevelopment of Urban Land)	Yes
SEPP 55 Remediation of Land	Yes
SEPP 64 Advertising and Signage	Yes
SEPP 65 Design Quality of Residential Flat Development	Yes
SEPP (BASIX) 2004	Yes
SEPP (Housing for Seniors or People with a Disability) 2004	Yes
SEPP (Infrastructure) 2007	Yes

SEPP (Affordable Rental Housing) 2009

Yes

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

The planning proposal is consistent with the relevant Section 117 Directions, as detailed in Table 2 below.

Table 2 - Consistency with applicable Section 117 Directions

1. Employment and resources	
1.1 Business and Industrial Zones	<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. <p>The site was identified in the West-Central Sub-regional Strategy as being suitable for alternative uses if existing operations cease, which is the case. The proposed rezoning would also generate new employment opportunities, through provision of 6,000sqm of commercial floor space. The proponent's economic impact assessment indicates that the commercial component of the development would generate approximately 328 jobs on the site post-construction. The proposal will also enable flexible floor plates to a minimum of 30% of residential dwellings to allow for work/live opportunities and home office spaces.</p> <p>As recommended by a peer review of the proponent's economic impact assessment, the quantum of commercial floor space was reduced, so as to reduce the impact on the Pendle Hill centre.</p>
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>Not Applicable</p> <p>This Proposal does not apply any to land within an environment protection zone or any land otherwise identified for environment protection purposes under HLEP 2013.</p>
2.2 Coastal Protection	Not Applicable
2.3 Heritage Conservation	<p>Yes</p> <p>The subject site is listed as an Archaeological site in Holroyd LEP 2013. Additionally, there are four buildings within the site that are listed as an item of local heritage significance in the LEP. The proposal involves the retention and adaptive reuse of these buildings. A Draft Conservation Management Plan (CMP) has</p>

	<p>been prepared, which includes an assessment of heritage significance for all of the buildings, items and moveable objects remaining within the site. The following buildings are proposed for retention:</p> <p>Exceptional significance:</p> <ul style="list-style-type: none"> • Administration Building (in part) • Cutting Room • Cotton bale stores (in part) <p>High significance:</p> <ul style="list-style-type: none"> • Dance Hall • Compressor Room • Storage Building (John Austin Centre) <p>Medium significance:</p> <ul style="list-style-type: none"> • Boiler House <p>The proposal would demolish the Fabric Store building, and this demolition does not comply with the CMP.</p> <p>While Council's heritage advice indicated that certain information was missing from the CMP, the document has now been revised to include this. This information includes acknowledgement of the site's State Heritage significance and diagrammatic guidance for built form, and heritage interpretation strategies, to ensure that all items of heritage significance would be adequately conserved.</p> <p>The subject site does not contain any Aboriginal objects or Aboriginal places protected under the <i>National Parks and Wildlife Act 1974</i>. No Aboriginal heritage survey identifying locations or objects of Aboriginal heritage significance has been provided to Council by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority.</p> <p>The Draft CMP provides no indication whether the site contains any object or place of Aboriginal heritage significance. As such, any impacts of the Proposal on any Aboriginal heritage cannot be ascertained.</p> <p>This Proposal does not amend the heritage conservation provisions of HLEP 2013.</p>
2.4 Recreation Vehicle Areas	Not Applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>The Proposal is consistent with 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.</p> <p>The site is in close proximity to an existing centre and railway station. The proposal would therefore make better use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services. The site is also</p>

	<p>close to the Wentworthville Town Centre, identified as a key centre for growth in Council's strategic planning documents. It is within 2.5km of Westmead, the focus of major employment growth for the region and 4km of Parramatta, Sydney's second CBD. This creates an opportunity for the proposal to provide key worker housing required in these major employment zones of the western sub-region.</p> <p>This proposal provides housing variety and choice for both existing and future housing needs. The site is opposite existing high density residential development along Dunmore Street, however this provides a residential stock that has been established for a number of years and therefore not reflective of SEPP 65 and the Residential Flat Design Code. The provision of additional stock that is suited to the changing needs of the demographic is a key outcome of this proposal, particularly in light of the rare nature of the site, being a large urban renewal opportunity in a single ownership. As the site is within an existing urban area it minimises the impact of residential development on the environment and resource lands.</p> <p>Adequate servicing of the site by the relevant authorities is a requirement for any future redevelopment. Information has been provided by the proponent (included in Attachment 4) demonstrating that the site could be adequately serviced by water, sewer, power, gas, communications, roads and stormwater.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	<p>Not applicable</p> <p>Dwelling houses are not permitted in any of the zones proposed for the site under HLEP 2013.</p>
3.4 Integrating Land Use and Transport	<p>The proposal is consistent with this Direction as it ensures that the urban structure, built form and land use allocation improves access to housing, jobs and services by both active and public transport.</p> <p>An increased housing density within 200m of the Western railway line will reduce the number of trips generated and the distances travelled by car.</p> <p>A transport assessment provided by the proponent identifies the opportunity to provide a Green Travel Plan to minimise the number of peak hour car trips generated by the site. This would be provided to all residents in the site in addition to information regarding car sharing, public transport services and cycling / pedestrian routes & facilities. It is considered that with the changing demographics of the area as well as changing travel demands that a mode shift will occur that sees a higher level of public transport patronage from the site's future inhabitants. In comparable projects, Green Travel Plans have been effective in providing a 10-30% modal shift towards sustainable transport.</p> <p>The creation of through-site pedestrian and cycle links would also</p>

	encourage residents in the surrounding area to use more active transport means.
3.5 Development Near Licensed Aerodromes	Not Applicable
3.6 Shooting Ranges	Not Applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Not Applicable This Proposal does not rezone any land identified on the Acid Sulphate Soils Planning Maps as having a probability of acid sulphate soils being present.
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Land	The Proposal is consistent with this direction. The Proposal does not rezone any land within a flood planning area from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. The subject site is within a flood planning area, as parts of the site are affected by overland stormwater flooding. However, these are not considered to be a major constraint on development generally and could be addressed through detailed design at development application stage. The impacts of flooding on any future development within the site would need to be investigated following any Gateway determination.
4.4 Planning for Bushfire Protection	Not Applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not Applicable
5.2 Sydney Drinking Water Catchments	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.8 Second Sydney Airport: Badgerys Creek	Not Applicable
5.9 North West Rail Link Corridor Strategy	Not Applicable
6. Local Plan Making	
6.1 Approval and Referral	Not Applicable

Requirements	This Proposal does not alter any provisions requiring the concurrence, consultation or referral of development applications to a Minister or public authority and does not identify development as designated development.
6.2 Reserving Land for Public Purposes	<p>The Proposal would create a new 0.53ha public park within the site, which would be zoned RE1 Public Recreation. Once zoned for this purpose, this land would come under the care and control of Council. The dedication of this land would be achieved through a Voluntary Planning Agreement between Council and the developer.</p> <p>Council considers that the Director-General's approval for the creation of this zone would be implicit in the Gateway Determination.</p> <p>The Proposal does not alter or reduce existing zonings or reservations of land for public purposes, nor propose to acquire any land for public purposes nor to rezone any land currently reserved for a public purpose.</p>
6.3 Site Specific Provisions	Not applicable
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	<p>Yes</p> <p>This Proposal is consistent with the NSW Government's <i>A Plan for Growing Sydney</i> published in December 2014.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable

2.3.3 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?

There is no declared critical habitat within the Holroyd LGA. Desktop investigations indicate that no threatened species, populations or ecological communities or their habitats exist within the site, and therefore would not be adversely affected as a result of the proposal.

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

General desktop investigations undertaken to date do not suggest any major constraints to the proposed rezoning of the site. The site is affected by contamination and a preliminary contamination assessment has been provided by the proponent (included in Attachment 4). An addendum to this assessment has also been provided, which demonstrates that the site can be made suitable for residential/commercial uses, subject to delineation and remediation once existing infrastructure has been removed. Further detail regarding environmental issues is provided in Section 3.2.

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

Heritage impacts

The effects of the Proposal on items or places of European or Aboriginal cultural heritage are addressed in Section 3.5.5.

Social impacts

The social impacts of the Proposal are addressed in Section 3.5.4.

Economic impacts

The economic impacts of the Proposal are addressed in Section 3.4.

2.3.4 State and Commonwealth interests

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

It is likely that the Proposal will require upgrades or increases to various public infrastructure and services, such as public transport, roads, drainage, utilities, open space, waste management, healthcare, childcare and schools.

Following the Gateway Determination, consultation with the relevant agencies would be undertaken to identify whether existing services could meet the increased demand generated by future development, or if not, the extent of the shortfall and the infrastructure / services required to offset this. While the Gateway determination would confirm the public authorities to be consulted, it is expected that they would include the following:

- Transport for NSW
- Department of Education & Communities
- NSW Health
- Sydney Water
- Electricity, gas & telecommunications providers

Delivery of other public infrastructure under Section 94 of the EP&A Act is addressed in Section 3.6. This includes open space, public domain, community facilities, roads and drainage.

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

As the Gateway Determination has yet to be issued by the Minister for Planning and Environment, no State or Commonwealth authorities have been identified or consulted at this stage.

The proponent met with DP&E staff subsequent to lodging its initial rezoning request with Council. These discussions indicated that the Department shared Council's concerns regarding the need for more detailed assessment of heritage impacts, and the impacts of the 17 storey building height that was originally proposed for the site.

2.4 Mapping

All relevant maps that assist in identifying the intent of the planning proposal are contained in Attachment 1.

2.5 Community Consultation

It is proposed that the planning proposal be exhibited for a period of 42 days, as resolved by Council at its meeting on 7 October 2014. 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:

- 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 (Parramatta Advertiser) for 4 weeks;
- notifying the exhibition of the planning proposal on Council's web site including all relevant documentation;
- providing a copy of the planning proposal and supporting documentation at Council's customer service centre and libraries;
- notifying all affected property owners and body corporates of adjoining strata units where relevant;
- Two community information sessions;
- An open day / site tour;
- A public hearing.

2.6 Project Timeline

An outline of the expected timeframe for completion of the Planning Proposal is provided below.

Planning Proposal submitted to NSW Planning and Environment	May 2016
Gateway Determination received by Council	July 2016
Planning proposal publicly exhibited for 42 days	August-September 2016
Council considers report on exhibition	December 2016
LEP amendment gazetted	March 2017

3 Assessment of Planning Matters

3.1 Traffic & Transport

3.1.1 Local Traffic

The revised concept includes a simpler road layout which would allow more efficient traffic circulation. The Dunmore Street access has been relocated further west, close to the western boundary of the site.

The Traffic & Transport Report prepared by GTA Consultants provided an assessment of the transport impact of the proponent's revised proposal (allowing for 1,700 new dwellings and approximately 6,000m² commercial floor space), including traffic generation and the impact of the proposal on the surrounding road network.

The report indicated that the site could potentially generate approximately 780 external vehicle movements in the AM peak hour, 770 external vehicle movements in the PM peak hour and 960 external vehicle movements in the Saturday midday peak hour. This compares to the current lawful industrial use of the site which, according to the report, at full capacity has the potential to generate 565 trips per hour in the peak periods, a significant number of which would presumably be trucks. It is noted that most of the total AM peak movements are residential whereas in the PM and Saturday peak most are retail/commercial.

The additional traffic generation would affect the operation of the Gilba Road/Pendle Way intersection. The proponent's traffic modelling indicates that the average delay at the intersection would increase from 125 seconds to 570 seconds in the PM peak (3.5 times) and from 127 seconds to 799 seconds in the Saturday peak (>5 times). Measures to address the poor performance of the intersection would need to be addressed prior to public exhibition. Two options were considered by the proponent to overcome the traffic capacity issues, these being traffic signals and a small roundabout. A preferred option would need to be identified prior to any Gateway Determination, in consultation with Council's Traffic Committee, and any changes included in Council's revised Section 94 Development Contributions Plan.

While Council's assessment raised concern about the proposed roundabout on Dunmore Street being too close to the signalised intersection, the proponent's traffic advice indicates that the roundabout would allow for 70m of queueing between the two intersections, and modelling shows that no conflict between the intersections would occur. The RMS would need to determine whether this is acceptable when the Proposal is referred to it post-gateway.

Council's assessment also indicated that impacts from vehicles turning right to access the site via Jones Street need to be assessed, and in the case that there are impacts on traffic flow left-in/left-out treatments should be considered. The proponent's traffic modelling indicates that the greatest predicted queue would be two vehicles, which is not considered to be an issue. Consequently left in / left out treatments do not need to be considered.

The general conclusion of the GTA traffic report that (subject to certain upgrades and management measures) "the proposed redevelopment 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" is considered satisfactory.

It should be noted that the transport study provided by the proponent was based on a dwelling yield of 1,700, which is higher than the yield assumed by this proposal, of around 1,260 dwellings. As such, it is expected that the impacts would be somewhat less than those outlined above. This could be confirmed following the gateway determination. Consultation would be undertaken with RMS following the gateway determination for consideration of impacts on State roads.

3.1.2 Car Parking

Resident parking would be accommodated in an underground carpark located in the southern portion of the site. Parking for the commercial and community components of the site would be accommodated underground in the northern part of the site. The revised concept provides the following indicative parking rates:

- Residential parking: 1,700 spaces (1 per dwelling)
- Visitor parking: 340 spaces (1 per 5 dwellings)
- Retail parking: 140 spaces (1 per 44sqm GFA)

The proposed rates of parking provision for the residential component of the proposal are in accordance with Council's DCP controls. However, the residential component of the proposal would be subject to the rates of parking provision identified in SEPP 65. For a development of 1,260 dwellings, 1,123 spaces would be required. This is broken down as follows:

- 1 bedroom comprising 20% of yield (0.6 per dwelling) = 152 spaces
- 2 bedroom comprising 70% of yield (0.9 per dwelling) = 794 spaces
- 3 bedroom comprising 10% of yield (1.4 per dwelling) = 177 spaces

Visitor parking would be the same as required under Holroyd DCP 2013. For a development of 1,260 dwellings, 252 visitor spaces would be required.

The proposed parking for the commercial component is less than half of that required under Council's DCP (1 per 20sqm GFA minimum, required for ground floor premises in B2 zones in Pendle Hill). This would need to be increased in order to meet the DCP requirements at development application stage.

The Traffic & Transport Report indicates that significant additional on-street parking spaces will be provided in the new road reserves within the site. While it is proposed that visitor parking be provided within the basement carpark as well as on internal roads, Council requires that all visitor parking be provided within the development site, i.e. on private land associated with each apartment development and preferably within a basement level. On-street parking on new internal roads would need to offset any parking that would be lost from Dunmore and Jones Streets, as well as providing additional public parking for users of the park and the broader community that may be visiting the site.

While the submitted concept does not comply with the parking provisions for commercial development stipulated in DCP 2013, parking provision would be subject to a separate detailed assessment as part of any development application for the site, so rezoning of the site could still proceed notwithstanding this.

Street Widths and On-Street Car Parking

The Concept Master Plan submitted with the revised proposal provides conceptual street layout and widths which would be considered further during the development of site-specific DCP controls and at

detailed design stage. The streets appear to be 19-20m in width. Such widths are considered to be consistent with the intent of Council's DCP controls for new streets; to provide sufficient carriageway and verge widths to allow roads to perform their function. In most cases, such as with this site, this will involve two traffic lanes, two parking lanes and two verge (footpath) areas. Part A, Section 2.3, C2 applies generally across the City and specifies a width of 20m (2 x traffic lanes, 2 x parking lanes and 4m verges). By comparison, most local streets in Pemulwuy, under Part P, Sections 7.4-7.6, are only 15.5m width (2x traffic lanes, 1 x parking lane and 3.5m verges), although some of the major local streets have parking on both sides and were required to be 19m (2 x traffic lanes, 2 x parking lanes and 3.5m verges). Sufficient allowance has been provided for local streets with parking on both sides such that any minor adjustment at detailed design stage would not materially affect modelled building footprint and estimated potential floor space yield.

3.1.3 Public Transport

The Proposal would have implications for train and bus services as it would add around 1,260 additional dwellings to the housing growth in Pendle Hill. Transport for NSW would be consulted following any gateway determination to provide more information regarding the impacts and need for infrastructure & service improvements. It is noted that TfNSW is about to commence upgrade works to Pendle Hill Station, including new lifts, stairs, concourse, footbridge and entrances, as well as CCTV and additional lighting. While the GTA report indicates that Pendle Hill has frequent train services (every 15 minutes during peak periods), level of service (and passenger capacity) during peaks for stations between Seven Hills and Parramatta would need to be monitored.

3.1.4 Cycle and Pedestrian Movement

The proposal identifies additional pedestrian connections to improve the site's permeability and facilitate greater connectivity with the surrounding neighbourhood and with Pendle Hill station. The concept layout would result in all parts of the site being within reasonable (5-12 minutes) walking distance of Pendle Hill station and shops. It is also indicated that cycle paths will be provided through the site and bicycle parking provided in accordance with Council's DCP requirements.

It was also resolved by Council that the concept plan be refined to not preclude the establishment of a public pedestrian link at the South-Western corner of the site should properties in the Collins Street area seek to redevelop in the future. Access such as this would enable properties to the South and South-West to more easily utilise the community assets and commercial areas within the subject site.

3.2 Environmental Considerations

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

Council's current records indicate that parts of the site are subject to overland stormwater flooding. Flooding impacts, as well as noise impacts, geotechnical impacts, soil & water management and protection of remnant native trees can be addressed following any gateway determination and this would inform any necessary site specific DCP controls.

The Proposal demonstrates compliance with SEPP 55 (Remediation of Land). However, based on the recommendation of the need for further investigation of the site, a Remediation Action Plan would need to be prepared and submitted during the development application process. Once remediation of the site

is complete, and prior to any development consent, a validation report must be submitted to Council, to provide assurance that the objectives of the Remediation Action Plan have been met. A Site Audit Statement and clearance certificate would also need to be submitted.

3.3 Urban Design Considerations

3.5.1 Scale and Visual Impact

An Urban Design Report was submitted with the rezoning proposal. This included a site analysis, which describes the existing landscape, including buildings and vegetation, land form and views, and the interface with the surrounding area and includes section and street view diagrams showing the land form and built form of the site and adjoining properties. Building massing and indicative block diagrams are provided in the concept master plan to evidence that the proposed standards are achievable within SEPP 65 Residential Flat Design Code parameters such as separation, building depths and solar access to units.

A copy of the Urban Design Report is provided in Attachment 4 and includes the concept design, shadow diagrams, photo montage and cross-sections.

The built form is characterised by lower buildings at the edges of the site and the tallest buildings in the centre. The central portion of the site would allow for 9-12 storey (30-39m) buildings, surrounded by 8 storeys (27m) to the east, west, and south with further transitioning to:

- 4 storeys along the Dunmore Street northern boundary.
- 4-6 storeys along the Jones Street eastern boundary.
- 3 storeys along southern boundary and in the south-western corner.

Council's assessment of the Proposal indicated that high rise development would not be appropriate for the site. However, mid-rise development (5-12 storeys) could be accommodated within the site without unacceptable adverse impacts on the existing neighbourhood, allowing for a sufficient transition to the surrounding lower density built form.

While it is acknowledged that the site has the benefit of being large and benched into a hill such that taller buildings could be accommodated than would normally be considered suitable in this locality, such forms should not be highly visually apparent above 3-6 storey buildings on the edges when viewed from the surrounding areas, particularly to the south and east.

3.5.2 Residential Amenity - Solar Access

Shadow analysis prepared by the proponent demonstrates that there would be no unacceptable overshadowing of neighbouring properties. Shadow diagrams indicate that both the dwellings and private open space of adjoining properties would receive sufficient solar access, with less than 50% of their open space area being overshadowed during the Winter solstice (21st June). It is noted that this figure would now be slightly lower given that Council endorsed a maximum height limit of 12.5m (3 storeys) along the southern boundary, where the proponent's submitted concept indicates a mix of 3 and 4 storey buildings in this location. The applicant would need to meet the requirements of SEPP 65 (Design Quality of Residential Flat Development) and the Apartment Design Guide at DA stage in relation to ensuring solar access for at least 70% of units within the site.

3.5.3 Residential Amenity - Privacy

It is considered that the Proposal would not have any adverse impacts on privacy for existing residential development surrounding the site. Lower proposed building heights, building setbacks, screening vegetation and street separation would minimise any potential privacy impacts. Providing adequate setbacks and restricting building heights along these boundaries is important in avoiding privacy impacts, particularly in the south-western corner of the site as the land in this location is considerably elevated above adjoining development to the west and south. The Proponent's concept incorporates building heights of 3-4 storeys along the southern and south-western boundaries, which directly adjoins existing low density development. It also includes a 10m setback from the boundary which exceeds the ADG requirement of 9m. However, as mentioned above, Council endorsed a 12.5m maximum height limit along the southern boundary, which would further reduce potential privacy impacts.

3.4 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 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 than the >8000m² previously proposed. As the commercial component, proposed to be zoned B2 Local Centre, is separate from the Pendle Hill local centre, it would still constitute a new centre however.

The proposed B2 zone incorporates the following heritage items to be retained for adaptive reuse:

- Cutting Room
- Dance Hall
- John Austin Centre
- Boiler Room
- Cotton Bale Stores

The total gross floor area (GFA) of these buildings is approximately 4,500m², which would result in a gross leasable area (GLA) of around 3,600m². It is considered that adaptive reuse of the Cutting Room and Boiler Room could potentially incorporate mezzanine levels, which would provide around 30% additional GLA in these buildings, bringing the total to around 4,600m². (approx. 5,700m² GFA). This equates to a FSR of 0.7:1 for the portion of the site proposed to be zoned B2 Local Centre (business). It should be noted that the estimated achievable floor areas within the buildings is less than the stated proposed area of 6,000m².

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, as indicated in Section 2.3.2, the West Central Sub-regional 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.

3.5 Social & Cultural Considerations

3.5.4 General

The proponent has provided a comprehensive Social Impact Assessment (SIA), prepared by GHD. A copy of the assessment is provided in Attachment 4. This document has been reviewed by Council's Social Planner and meets the requirements of Council's Social Impact Assessment Policy.

The assessment identifies a range of positive social impacts as well as several negative impacts, primarily relating to the capacity of local infrastructure and services. A Social Impact Management Plan was also prepared to provide strategies and mechanisms to enhance positive impacts and mitigate negative ones. The recommendations of the SIA have either been addressed through the concept design or would be addressed through the VPA or at detailed design stage.

3.5.5 Heritage

The proponent submitted a Draft Conservation Management Plan (CMP) as part of its proposal to rezone the site. Council obtained a peer review of the CMP which revealed substantial gaps in the information provided. The proponent has now submitted a revised CMP, as well as a Heritage Assessment prepared by GML Heritage Consultants, both of which were reviewed by Council's Heritage Advisor.

Many of the concerns previously identified have now been addressed, including a significance assessment, establishment of clear curtilages and delineation of a conservation zone. Under the revised master plan, all of the buildings of exceptional significance and three of the six buildings of high significance would be retained. The revised masterplan also shows a considerable reduction in the proposed density and building heights in the northern portion of the site. This was primarily to minimise the impact on the historically significant views from Dunmore House.

The concept's proposed demolition of the Old Spinning Mill (fronting Dunmore Street, adjacent to the Administration Building) does not comply with the proponent's own CMP, which identifies it as having high significance and recommends that it be at least partially retained and adapted. Nevertheless, the maximum building heights proposed are generally consistent with the existing building heights and so reflective of the existing building being retained and adapted. As such, proceeding with a proposal for the R4 High Density Residential zone, 1.2:1 FSR and 14m (3 storey equivalent) building height would not be construed as quasi-approval of the building's removal and would therefore not be contrary to the CMP and various heritage advices obtained.

It is also proposed to remove two of the six (western-most) cotton bale stores, which represents a partial non-compliance with the CMP. It is noted that this would enable the access road to be moved to the western edge of the site which provides a better overall outcome for the site's heritage precinct. It is also considered that the proposed retention of four of the bale stores would be adequate, as this still gives an indication of the process and activities in which the stores were formerly involved.

Council's heritage advice indicated that the CMP and heritage assessment still did not contain sufficient information to provide guidance for new development. Subsequently, an Addendum to the CMP was provided by the proponent, addressing the concerns regarding diagrammatic guidance for built form

and strategies for heritage interpretation. Incorporation of these guidelines into the CMP would appear to address the primary concerns relevant to a planning proposal proceeding.

Notwithstanding the proponent's undertaking to document the site's State heritage significance, a clear statement acknowledging this significance (as also alluded to in parts of the CMP) is yet to be included in the CMP. Further detail also needs to be provided on how the buildings proposed for adaptive reuse are to be integrated into the development for an effective and intuitive interpretation strategy. These matters would not affect zoning or built form controls and as such are changes that may be made during the gateway approval process, prior to public exhibition of the draft CMP with any planning proposal.

Council resolved to endorse the Draft CMP for the purpose of public exhibition following the inclusion of suitable acknowledgement of the site's State Heritage Significance and the Addendum provided to Council on 30 July 2014, providing diagrammatic guidance for built form and heritage interpretation strategies, to the satisfaction of Council's Director Environmental and Planning Services.

The CMP did not include any investigation or assessment of Aboriginal archaeology. The Heritage Assessment prepared by GML recommends that a due diligence assessment be undertaken, including a search of the Aboriginal Heritage Information Management System (AHIMS), in order to determine whether Aboriginal places or objects may be present on site. Council would request the proponent to undertake this assessment post-gateway.

The CMP (incorporating the addendum) and Heritage Assessment are provided in Attachment 4.

3.5.6 Open Space

The Proposal includes public open space and public domain areas within the site, comprising around 2.5ha in total (30% of the site) and including a central park of 0.53ha. It is reasonable for a site of this size (approximately 8ha) to provide its generated demand for local open space within the site (proportionate to the planned 0.72 ha per 1,000 people provision under Council's Section 94 Plan), particularly in this area of low provision. The Proposal would also generate demand for sporting fields and city-wide open space, which could not be accommodated within the site. Provision of these elements would be addressed through Section 94 Contributions (refer to Section 3.6).

The Proposal now incorporates a reduced dwelling yield of 1,260, which would equate to around 3,000 people, generating demand for 2.2ha of informal open space. This indicates that the proposed open space provision exceeds that required.

3.6 Infrastructure Considerations

As mentioned in Section 2.3.4, the Proposal would generate demand for provision of additional infrastructure and services. The relevant agencies would be consulted following the Gateway determination to identify shortfalls and needs.

A Draft Heads of Agreement (offer) for a Voluntary Planning Agreement (VPA) has been provided by the proponent to articulate proposed works that would be provided to support the redevelopment of the site and to identify any development contributions that can be offset through the provision of these works. A copy of the draft Heads of Agreement is included in Attachment 4. The Agreement will exclude the application of Section 94 (except for contributions in relation to sporting fields and land for citywide

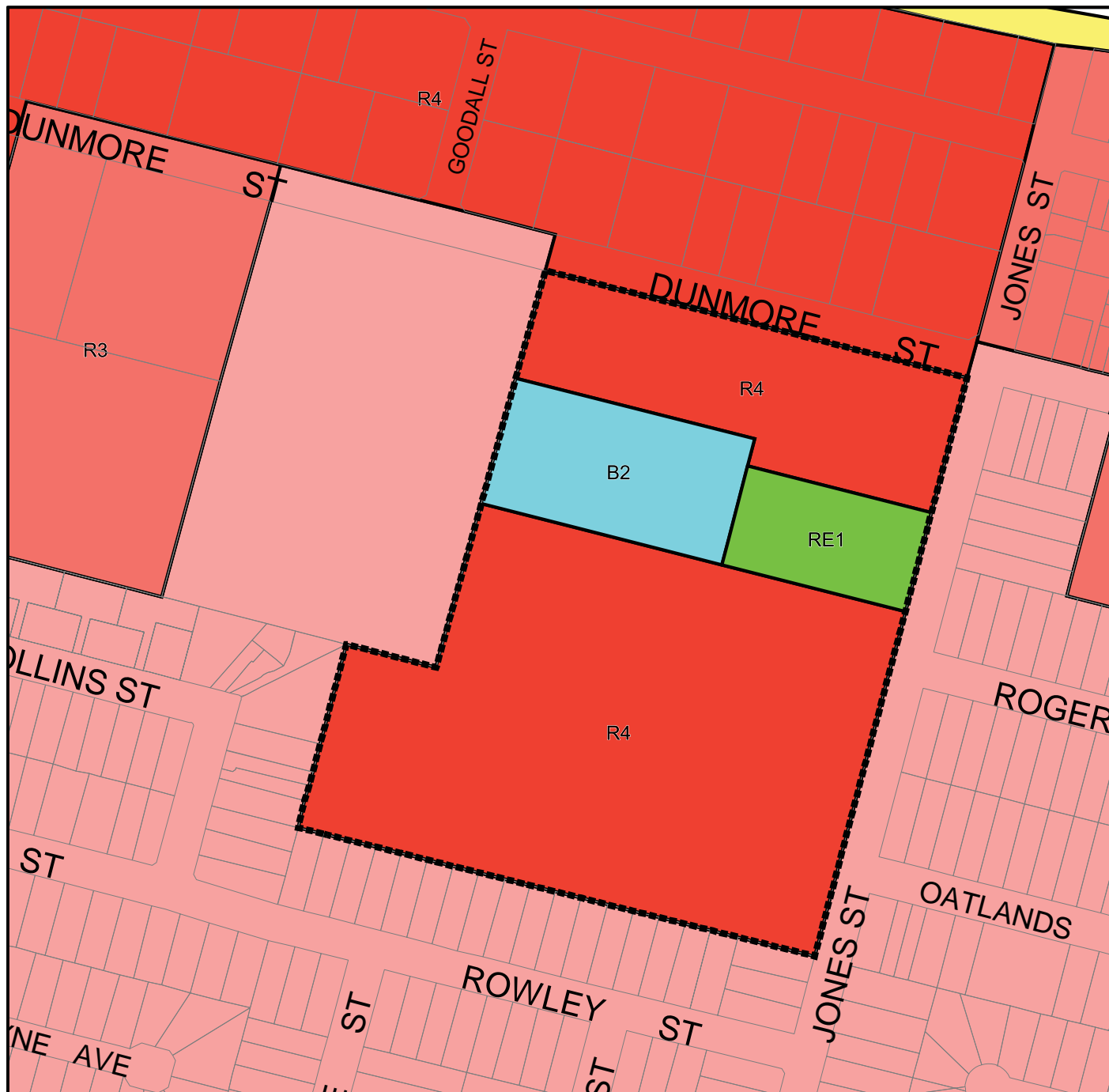
open space). Not all proposed works can be offset against development contributions; however, such works will still contribute to the redevelopment of the site and can provide a direct benefit to the development itself, as well as providing some justification for reasonable development yield from the site. While the Draft Heads of Agreement will be sufficient for public exhibition purposes, a Draft VPA would be required at DA stage. The key elements of the draft offer are outlined below:

- Open space – public park (dedication of 5,300sqm of land); public pocket parks and Dance Hall garden (provision of 8,700sqm of land by positive covenant)
- Marketplace Plaza and Entry Boulevard – provision of approximately 6,200sqm of land by positive covenant
- Community Hub Space – provision of multi-use rooms/offices within retained heritage building for creative, cultural and community uses
- Public roads and linkages – dedication of approximately 6,800sqm of land
- Public Art – located in the public park, pocket parks and public domain areas
- Adaptive reuse and heritage conservation

Comments are provided in the Council report (Attachment 3) regarding the adequacy of the proposed offer. The VPA would be negotiated post-gateway and would need to be finalised prior to lodgement of the first Development Application for the site.

Attachments

Attachment 1 Draft LEP maps



**Draft LEP 2013 Amendment
Bonds Spinning Mills Site
Land Zoning**



Print Date: 21/04/2016
Scale 1: 3000



190-220 Dunmore Street,
Pendle Hill

Neighbourhood Centre

B1

Local Centre

B2

Mixed Use

B4

Business Development

B5

Enterprise Corridor

B6

Business Park

B7

Environmental Conservation

E2

General Industrial

IN1

Light Industrial

IN2

Low Density Residential

R2

Medium Density Residential

R3

High Density Residential

R4

Public Recreation

RE1

Private Recreation

RE2

Infrastructure

SP2

Unzoned Land

UL

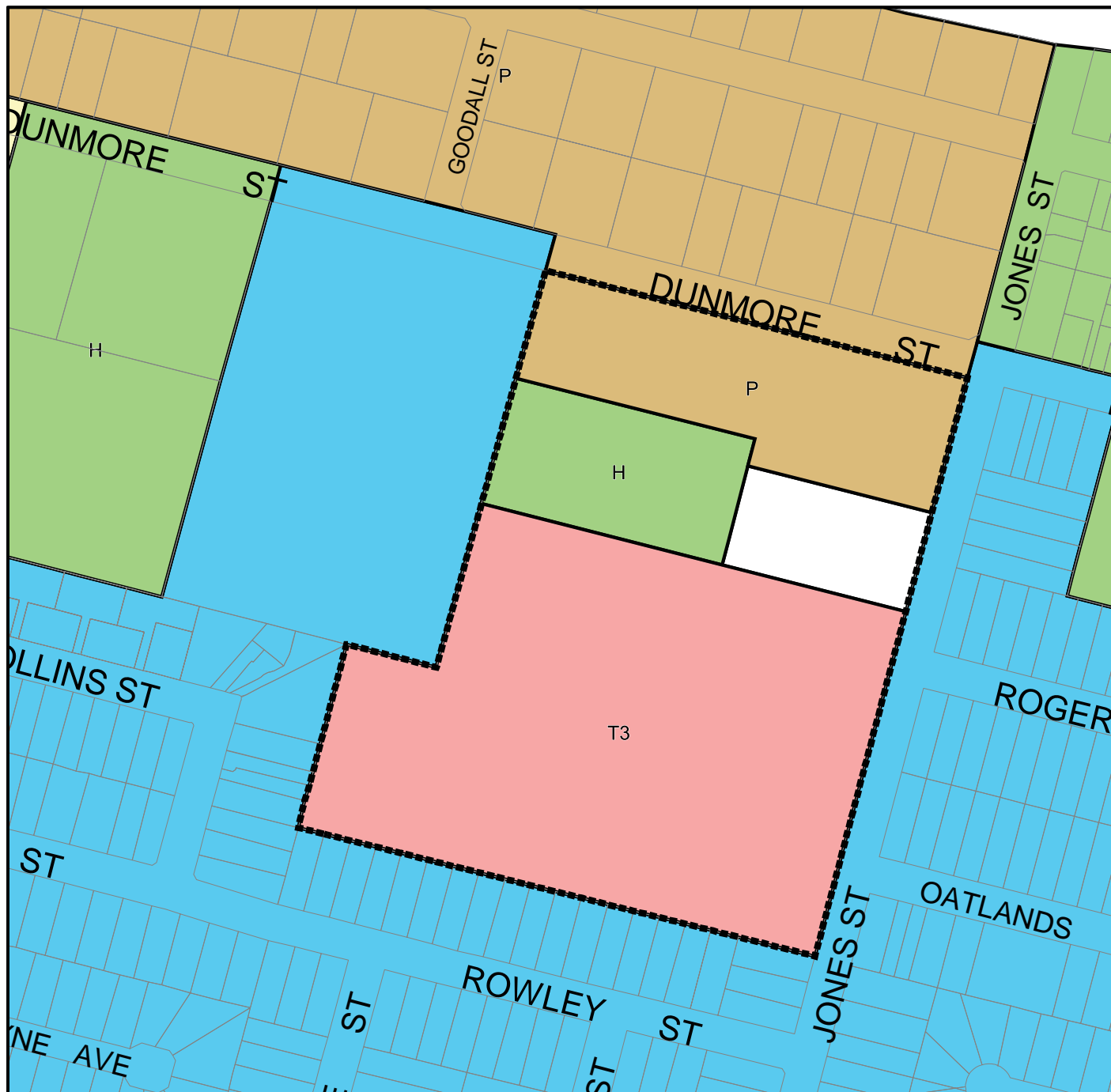
SEPP (Major Development) 2005

MD

SEPP (Western Sydney
Employment Area) 2009

WSE

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**Draft LEP 2013 Amendment
Bonds Spinning Mills Site
Floor Space Ratio**



Print Date: 07/04/2016
Scale 1: 3000

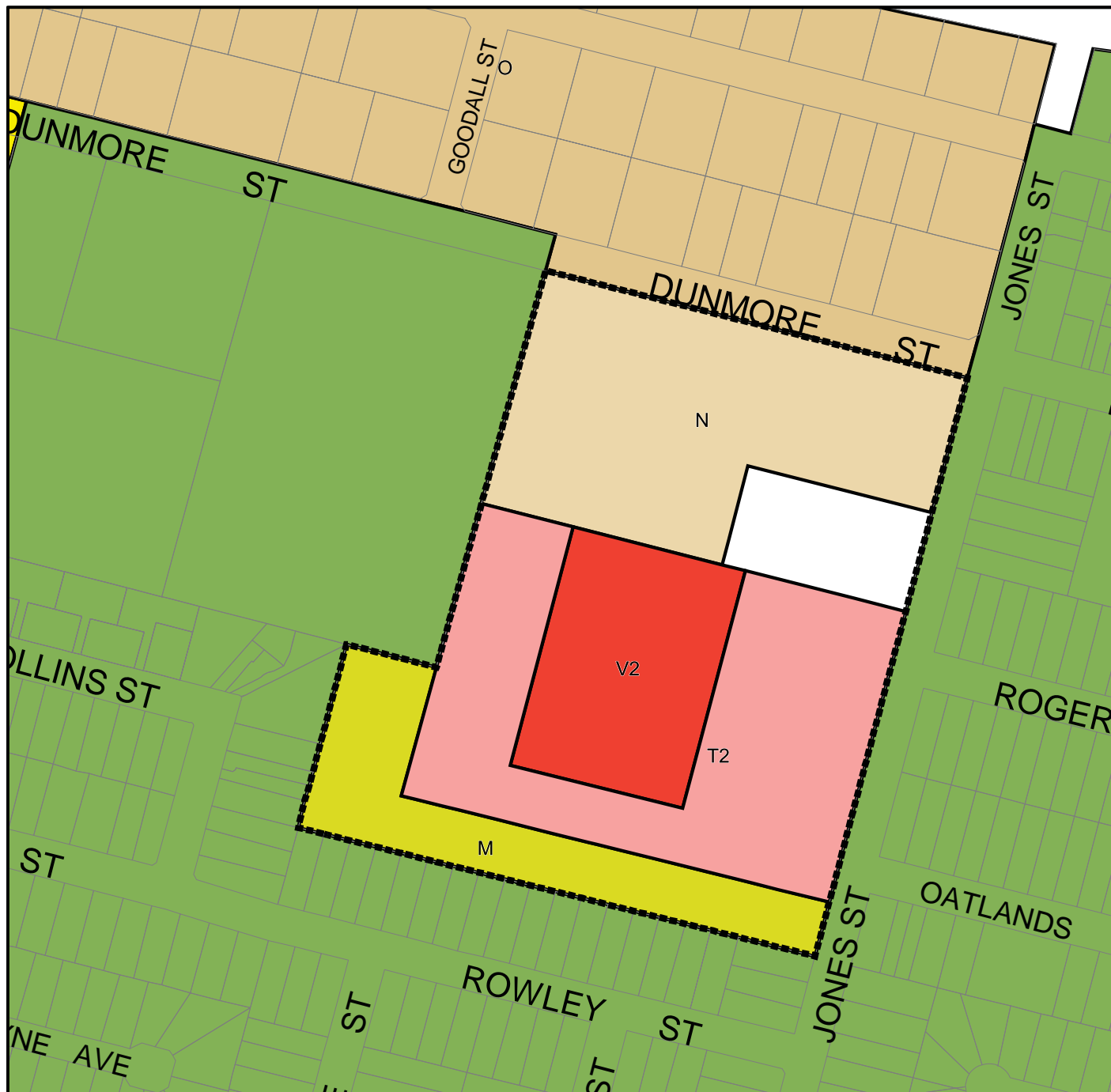


190-220 Dunmore Street,
Pendle Hill

Maximum Floor Space Ratio (n:1)

D	0.5	T4	2.4	AA2	6.5
H	0.7	U1	2.5	AB	7.5
K	0.85	U2	2.8	AC	8.5
N	1	V1	3	AD	9
P	1.2	V2	3.2		
Q	1.3	W	3.5		
S1	1.5	X	4		
S2	1.8	Y	4.5		
T1	2	Z1	5		
T2	2.2	Z2	5.5		
T3	2.3	AA1	6		

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Draft LEP 2013 Amendment Bonds Spinning Mills Site Height of Buildings



Print Date: 21/04/2016
Scale 1: 3000

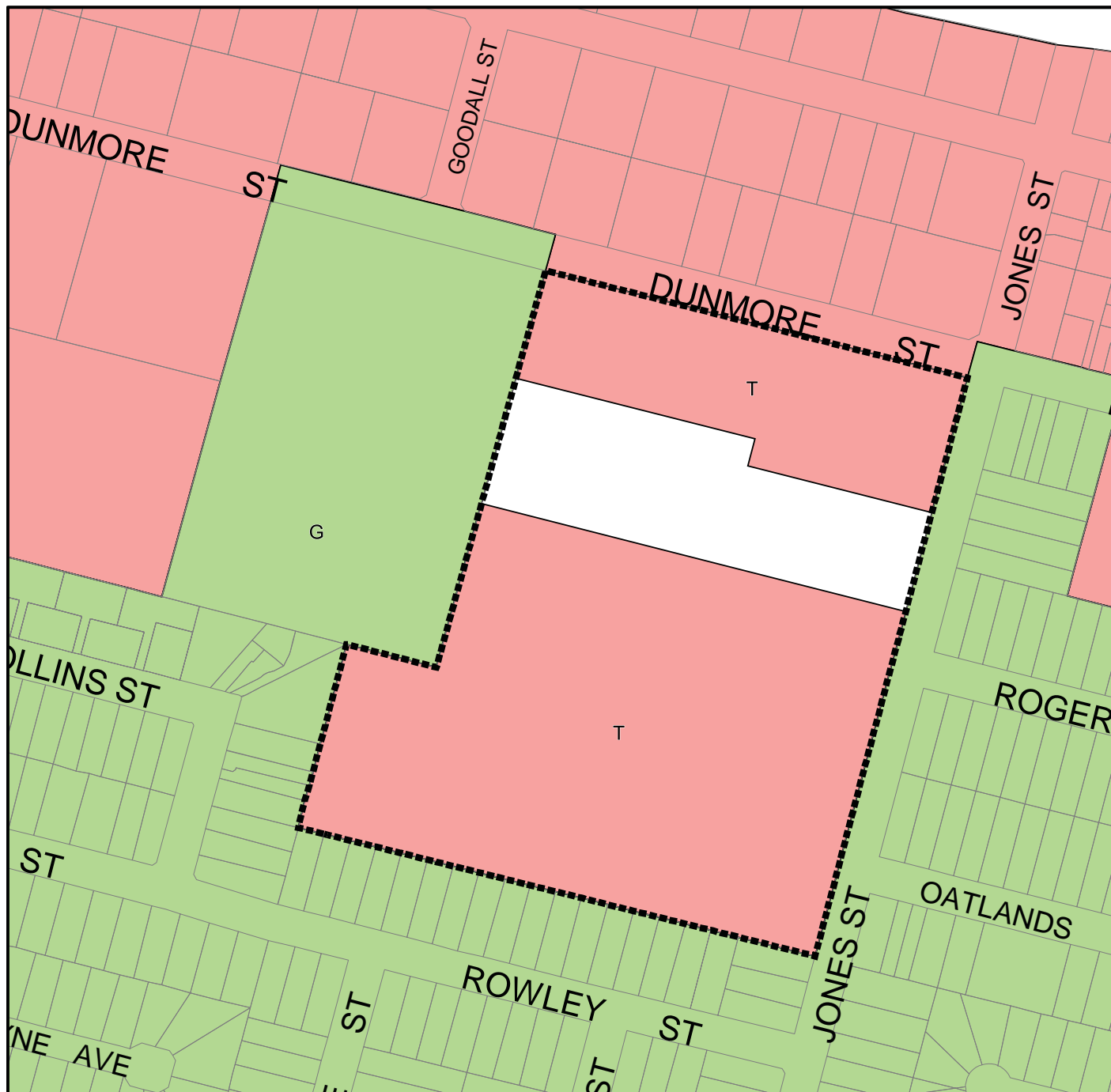


190-220 Dunmore Street,
Pendle Hill

Maximum Building Height (m)

J	9	S1	23	X1	45
K	10	S2	24	X2	48
L	11	T1	26	Y1	53
M	12.5	T2	27	Y2	54
N	14	T3	29	AA	65
O	15	U1	30		
P1	17	U2	32		
P2	18	V1	38		
Q	20	V2	39		
R	21	W	41		

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**Draft LEP 2013 Amendment
Bonds Spinning Mills Site
Lot Size**



Print Date: 21/04/2016
Scale 1: 3000



190-220 Dunmore Street,
Pendle Hill

Minimum Lot Size (sq m)

D	300
G	450
T	900
U	1200

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Attachment 2 Items of Environmental Heritage

Item I109	Bonds Administrative Building, storage building, cutting room, cotton bale stores	190-220 Dunmore Street, Pendle Hill (Lot 1, DP 735207)
Item A7	Bonds site	190-220 Dunmore Street, Pendle Hill (Lot 1, DP 735207)

Attachment 3 Council report of 19 April 2016

Holroyd City Council

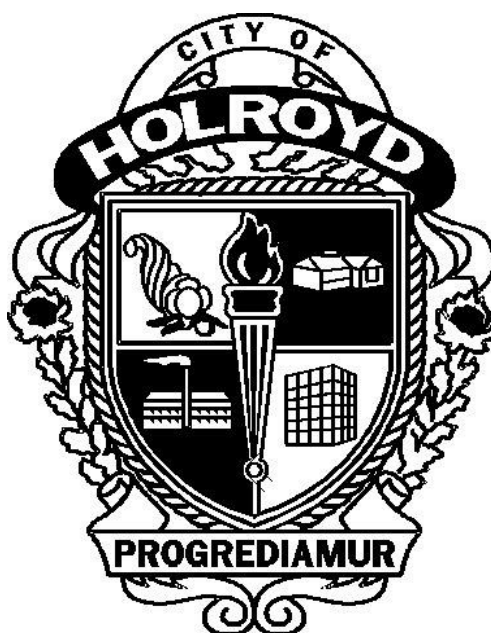


Ordinary Council Meeting 19 April 2016

NOTE: THE REPORTS PRESENTED IN THIS BUSINESS PAPER FOR COUNCIL'S CONSIDERATION ONLY CONTAIN THE RECOMMENDATION. COUNCIL'S FINAL DECISION (THE RESOLUTION) MAY BE DIFFERENT.

RESOLUTIONS OF COUNCIL ARE SUBJECT TO RESCISSION.

A NOTICE OF MOTION OF RESCISSION CAN BE SUBMITTED ANY TIME UP TO 12 NOON ON THE THIRD BUSINESS DAY FOLLOWING A COUNCIL MEETING AT WHICH THE RESOLUTION WAS PASSED. RESOLUTION(S) WILL NOT BE CARRIED INTO EFFECT UNTIL ANY RESCISSION MOTION IS DEALT WITH AT THE NEXT COUNCIL MEETING.



DEVELOPMENT/COMMUNITY SERVICES COMMITTEE

Revised Planning Proposal Request for Bonds Spinning Mills Site

Responsible Department: Environmental and Planning Services
 Executive Officer: Director of Environmental & Planning Services
 File Number: INFOC/19 - BP16/373
 Delivery Program Code: 5.1.1 Oversee the land use planning, design and compliance framework for managing and facilitate appropriate development
 7.1.2 Ensure land use planning recognises and promotes business and employment centres
 8.1.1 Oversee and implement Council's Residential Development Strategy and appropriate housing opportunities through land use planning

Previous Items: SPCCL001-14 - Rezoning Request - Bonds Spinning Mills Site, Pendle Hill - Revised Proposal - Special Council - 07 Oct 2014 6:30 pm

PROPOSAL DETAILS	
Address	190-220 Dunmore Street, Pendle Hill
Owner	J.S.T. (NSW) Pty Ltd. Company details have been provided under separate cover.
Proponent	JBA Planning on behalf of Dyldam (JST (NSW) Pty Ltd)
Current Zoning/ Planning controls	Zoning: IN2 Light Industrial Height: No standard FSR: No standard
Proposed Zoning/ Planning Controls	Zoning: R4 High Density Residential (6.4 ha), B2 Local Centre (1 ha), RE1 Public Recreation (0.6 ha) Height: Up to 38m (12 storeys) FSR: 2:1 Average

Summary:

A further revised planning proposal to rezone the Bonds Spinning Mills site was submitted to Council on 10 November 2015. This revised proposal amends the previous proposal endorsed by Council in 2014, proposing a new concept design with a higher dwelling yield and amended height and FSR maps. The proponent is requesting rezoning of the site from an IN2 Light Industrial zone to an R4 High Density Residential zone, B2 Local Centre zone and an RE1 Public Recreation zone, with FSRs ranging from 0.7:1 to 2.4:1 and building heights ranging between 12.5m (3 storeys) and 38m (12 storeys).

While a Gateway Determination was made for the previous proposal on 23 February 2015, given the nature and extent of the changes to the proposal it would not be possible to proceed to formal community consultation with the revised proposal, under the current Gateway Determination. As such, a new Gateway Determination is required.

The purpose of this report is to provide a strategic merit assessment of the revised proposal, to establish whether the proposal should proceed to Gateway. On the basis of the assessment it is recommended that Council proceed with the planning proposal subject to modifications to the proposed height and FSR maps and a reduction in potential yield (density). Option 2, presented in this report, involves minor change to the proposed residential zone FSR standards (from 1.3:1 and 2.4:1 to 1.2:1 and 2.3:1), and would reduce the dwelling density to below 180 dwellings per hectare, resulting in a potential of approximately 1,500 dwellings for the site.

Report:

Site and Location

The land the subject of the rezoning request is the Bonds Spinning Mill Site situated at 190-220 Dunmore Street, Pendle Hill (referred to in this report as 'the subject site') and covers an area of approximately 8 hectares. The subject site is located approximately 4km west of Parramatta, on the outskirts of the Pendle Hill centre, 500m south-east of Pendle Hill railway station.

The subject site is currently zoned IN2 Light Industrial and is identified as a heritage item under Holroyd LEP 2013. The site has been used for industrial purposes (manufacturing and distribution of textiles) since 1923; was the first spinning mill in the Southern Hemisphere; and was the birthplace of the Bonds clothing brand.

Background

Earlier planning proposals were received for the site in 2011, 2013 and 2014, outlined as follows:

- 2011 – Pacific Brands proposal comprising 600 dwellings, heights up to 8 storeys (did not proceed to Gateway).
- 2013 – Dyldam (Rainbowforce) proposal seeking R4 High Density Residential zoning with APU for commercial premises, over 1,800 dwellings, building heights up to 17 storeys, 1.5 ha of public parks/spaces (did not proceed to Gateway)
- 2014 – Dyldam (J.S.T. NSW) revised proposal seeking R4 High Density Residential, B2 Local Centre & RE1 Public Recreation zones, over 1,600 dwellings, building heights up to 17 storeys, 2.5 ha of public parks/spaces (Gateway Determination for modification of this scheme issued in 2015).

The assessment of the previous proposal concluded that the scale and density was excessive and endorsed a modified version of the scheme, comprising building heights up to 12 storeys, FSRs averaging 1.4:1 and a dwelling yield of approximately 1,300.

The proponent appointed a new architect, PTW, in 2015 and submitted a revised concept for the site in November 2015. The documentation submitted to Council to support the proponent's revised concept comprises:

- Rezoning (Planning Proposal) Report including background information, objectives and outcomes, planning assessment and proposed LEP maps (JBA)
- Urban Design Report and Concept Masterplan (PTW)
- Final Conservation Management Plan (Musecape)
- Heritage Assessment documents (GML)
- Supplementary Traffic and Transport Impact Assessment (GTA)
- Social Impact Assessment (GHD)
- Draft Heads of Agreement for Voluntary Planning Agreement
- Preliminary (Phase 2) Contamination Report (unchanged)
- Economic (Retail) Impact Assessment (unchanged).

The full documentation is available on the Council's website (www.holroyd.nsw.gov.au/your-development/bonds-site-planning-proposal-request) and will be tabled at the Council meeting. The Planning Proposal Report is provided in Attachment 1 to this report and the Urban Design Report and Concept Master Plan are provided in Attachment 2.

Strategic Merit Assessment

The strategic merit of the proposal has been assessed in accordance with the Department of Planning and Environment (DP&E) guidelines. A summary of the strategic merit assessment, outlining the key changes from the previous proposal, is provided in the table below.

	2014 proposal as endorsed by Council	Current proposal	Satisfactory
Land use zones	R4 High Density Residential (6.3 ha) B2 Local Centre (0.9 ha) RE1 Public Recreation (0.8 ha)	R4 High Density Residential (6.4 ha) B2 Local Centre (1 ha) RE1 Public Recreation (0.6 ha)	Yes
Built form & visual	Maximum 12	Maximum 12 storeys	Yes, subject to

impact	storeys (39m)	(38m)	adjustments to LEP height map
Density	Average FSR 1.4:1 Average residential FSR 1.3:1 1,300 dwellings 150 dwellings/ha	Average FSR 2:1 Average residential FSR 1.9:1 Approximately 1,600 dwellings 190 dwellings/ha	Modest reduction to 180 dwellings/ha recommended (average residential FSR 1.8:1, approximately 1,500 dwellings).
Internal & external amenity impacts	Solar access sufficient, unacceptable privacy impacts along southern boundary	SEPP 65 addressed. Interface with adjoining properties better addressed.	Yes, subject to LEP mapped certainty for height along southern boundary and park
Traffic	Suitable with upgrades & management	Suitable with upgrades & management	Yes, subject to verification of modelling & revised traffic report prior to Gateway (and to RMS concurrence at Gateway)
Car parking:			
Residential	116 on-site visitor (street only)	Meets DCP/SEPP 65 requirements	Yes, subject to confirmation that all visitor parking will be provided on private land
Commercial	136 spaces	140 spaces (1 per 44sqm GFA)	No (less than half of that required under DCP, which requires 1 space per 20sqm GFA)
Heritage	Complete CMP and proposal consistent 0.7:1 & 1:1 FSR 5 buildings retained	Development guidelines included in CMP and DCP 0.7:1 & 1.3:1 FSR 6 buildings retained	Yes, subject to acknowledgement of site's State significance in CMP

Social	Social Impact Comment, scope for impact assessment & consistent with policy	Comprehensive Social Impact Assessment	Yes
Public Open Space	2.47 ha total <ul style="list-style-type: none"> • 1.1 ha local park • 0.76 ha public domain • 0.48 ha pocket parks & road closes 	2.5ha total <ul style="list-style-type: none"> • 0.53ha local park • 0.62ha public plaza • 1.36ha pocket parks & through-links 	Yes – while the proposed quantity of open space is less than that normally required, a high quality of design and embellishment will be more important.
Economic	6,000sqm commercial uses	No change	Yes
Environmental	Contamination & geotechnical sufficient, stormwater to be addressed post- gateway	Contamination, stormwater/flooding, geotechnical sufficient for this stage	Yes (subsequent work required post gateway / DA stage)
Infrastructure	Draft heads of agreement (local open space, public domain, possible community)	Updated Draft Heads of Agreement	Yes (further discussion & draft VPA required)

Proposed Land Uses and Strategic Context

The proposed land uses and zoning for the site is essentially the same as under the previous concept, with some minor adjustments to the zone boundaries to reflect the revised concept. The proposed zoning map is provided in Attachment 3.

As mentioned in earlier reports, rezoning of the site from light industrial to residential and commercial uses is broadly consistent with both Council and State Government policy regarding land use and development. The Draft West Central Sub-Regional Strategy (2007) identifies the site as land that could be investigated for alternative uses. The strategy states that *“Given the mainly residential nature of the locality and the availability of more suitable Employment Lands at the nearby Girraween precinct, this site may be considered for alternative development, but only if existing operations cease”*. This satisfies

the State Government's Section 117 Direction 1.1 requiring that a Planning Proposal must not reduce the area of land in business or industrial zones, unless justified by a strategy that *"identifies the land which is the subject of the Planning Proposal"*.

Built Form and Density

The Urban Design Report for the revised concept provides diagrams indicating that the proposal generally meets the requirements of the State Government's Apartment Design Guide (ADG). The report also includes cross sections through the highest building, and views of the proposed built form from several vantage points around the site, allowing proposed heights to be better understood.

When viewed from surrounding streets the scale of development appears acceptable in the context of surrounding low density development and the proposed built form would not have a significant adverse visual impact. The following images show the proposed concept when viewed from surrounding streets.



View from Dunmore Street looking east



View from Rogers Street looking west



View from intersection of Jones & Rowley Streets

A copy of the Urban Design Report is provided in Attachment 2 and includes the concept master plan, shadow diagrams and cross sections.

The primary issue with the previous requested proposal was building heights and their relationship to the surrounding area. The recommended densities (FSR's) at that time were a reflection of the reduced height structure considered to be appropriate for the site, estimated using the previous concept envelopes. While the revised concept proposes a new arrangement of buildings and requiring some reconfiguration of the heights map, the highest buildings and overall approach with a transition in heights is largely the same as under the previous concept (with lower buildings at the edges of the site and around the heritage items and the tallest buildings in the centre). The

proponent has now evidenced, through the revised scheme, that increased yield can be achieved within this general height structure.

The overall dwelling density now needs to be given more focussed consideration. The proposed FSR's for the residential zones (1.3:1 and 2:1) represent an average residential ratio (across developable zoned land) of 1.9:1 and would result in an estimated gross residential density of 190 dwellings per hectare. This is considered to be too high for the site, which is within the walking catchment of the Pendle Hill station based centre, currently a small centre and planned to be a small urbanised centre.

A comparative analysis with other centres and precincts across Sydney would support the case for a density of up to 180 dwellings per hectare, which would be an average residential FSR of 1.8:1 across developable zoned land. This corresponds with typical average 6 storey buildings which, putting aside the site responsive approach to heritage items and transition in the south, would be a reasonable upper expectation for such a location. It is relevant to consider that the development presents a significant opportunity for restoration and public access to the heritage items, as well as local open space. On this basis, an alternative option (Option 2) to the requested FSR map is recommended, involving a minor reduction of the FSR's to 1.2:1 and 2.3:1.

The revised concept considerably improves on the previous concept in several aspects and is considered to achieve a better outcome in terms of built form and urban design. Modulation of built form has been provided, with articulation and more landscape elements. The new building layout is more open and has less bulk than the previous 'quadrangle' layout, providing improved permeability and visual connections through the site. Additionally, consideration has been given to the building geometry (positioning at certain angles) providing better solar access.

Building Heights

The concept masterplan depicts building heights transitioning from 3, 4 and 6 storeys on the edges to 12 storeys in the centre. This approach is consistent with the building heights adopted by Council in 2014. The proponent has prepared a draft height of buildings map based on the revised concept (provided in Attachment 3) and it is noted that there is some discrepancy between this map and the concept masterplan. The proponent seeks to reduce the complexity of the LEP maps, however, this reduces the level of certainty in critical locations. The height of buildings map shows heights up to 12 storeys (38m) in the centre surrounded by 8 storeys (24m) extending to the site boundaries. This is of particular concern along the southern and south-western boundaries where the site immediately adjoins properties in the R2 Low Density Residential zone. Additionally, the concept proposes building heights of 4 storeys along Dunmore Street, with small 5 and 6 storey elements adjacent to the public park.

However, the height of buildings map proposes 6 storeys (20m) from the park through to Dunmore Street.

While the proponent has prepared a draft DCP which includes controls relating to building heights, this does not provide the same degree of certainty for built form outcomes as height controls in an LEP, as it does not carry the same statutory weight. It is acknowledged that the height map should allow for some flexibility in moving from concept stage to detailed design, and in this regard it is desirable to minimise variation in the maximum building height stipulated in the LEP height of buildings map. However, it is considered that providing a 24m (8 storey) height limit along the majority of the site's boundary (in particular to the south and south-west) would be excessive and unjustified given the importance of maintaining an appropriate building interface to adjoining properties. Additionally, providing for 6 storey (20m) building heights along Dunmore Street and the northern boundary of the public park would not be appropriate from a heritage conservation perspective as well as creating a potentially unacceptable degree of overshadowing across the park. As such, the proposed building height in certain locations as shown on the height of buildings map should be reduced. Additionally, further controls should be incorporated in the DCP to ensure maximum solar access to the park (refer to section on DCP).

An alternative height of buildings map (Option 2) is also provided in Attachment 3, which is largely consistent with the proponent's concept but provides more certainty regarding built form outcomes in these two critical locations. It allows heights up to 12 storeys (39m) in the centre of the site, transitioning to 8 storeys (27m) then to 4 storeys (15m) along the southern / south-western boundaries. It also ensures that building heights along Dunmore Street and within the heritage precinct are limited to 4 storeys (14m). This option will ensure that statutory controls to protect the amenity of adjoining properties are in place.

Building Configuration

The revised building configuration represents a more optimal design and layout than the previous concept in terms of liveability and sustainability. The buildings are now aligned in a north-south arrangement that allows greater solar access, site permeability and open space. Building configuration is no longer in 'quadrangle' shapes and buildings have been opened up to the north to improve the outlook and amenity for residents.

Density and Floor Space Ratios

The revised proposal allows for approximately 1,600 dwellings, with potential for around 1,640 dwellings under the concept building envelopes and 1,568 dwellings under the proposed FSRs.

The proponent's Urban Design Report proposes the following unit mix:

- 20% 1 bedroom
- 70% 2 bedroom
- 10% 3 bedroom.

This represents an increase in density of over 20% from the concept previously endorsed by Council, which allowed for approximately 1,300 dwellings. Additionally, the average floor space ratio across the site has increased from 1.4:1 to 2:1. The proposed FSR map is included in Attachment 3.

Analysis of the proposed dwelling yield has indicated that the proposed FSRs are commensurate with the proposed dwelling yield and that they could be achieved within the concept building envelopes.

Using standard calculations as outlined in the footnote to the table below, it is apparent that the proposed average FSR of 2:1 would allow for a dwelling yield of around 1,568.

Dwelling Yield Based on Proposed FSRs

	Avg FSR (residential and commercial)	Avg FSR (residential only)	Residential GFA (m²)	Avg floor space per unit (m²)	Dwelling yield
Dwelling yield based on proponent's FSRs	2:1	1.9:1	141,117	90 ¹	1,568
Dwelling yield based on recommended FSRs	1.9:1	1.8:1	134,690	90 ¹	1,497

Average FSR = ratio of GFA to site area

GFA (Gross Floor Area) = GBA x efficiency rate

Dwelling yield = GFA / average unit size

1 Average floor space / unit (including circulation space)

Considering the location of the site within the Pendle Hill small urban centre and rail station catchment, as well as the nature of the site being a single large parcel containing significant heritage, a density of up to 180 dwellings per hectare is considered appropriate. This equates to an average residential FSR of 1.8:1, or 1.9:1 including commercial/retail floor space. The proposed FSRs of 1.3: and 2.4:1 represent a gross dwelling density that is over 180 dwellings per hectare (over 1.9:1).

On this basis, it is recommended that the proposed FSRs be reduced, as they would allow for a dwelling yield of around 1,600 dwellings, which is considerably higher than the yield previously endorsed by Council. A reasonable reduction to 1.2:1 and 2.3:1 is recommended for the residential zone, which would allow for up to 1,500 dwellings.

This would also allow more flexibility for design within building envelopes. These FSRs are shown on an alternative FSR map (Option 2), which is also provided in Attachment 3.

As stated earlier, the primary issue with the previous requested proposal was building heights. The recommended density (and FSRs) at that time were essentially a reflection of the general height structure recommended.

The draft FSR map includes an FSR of 1.3:1 across the proposed local park. This is not supported from a planning perspective as it is inconsistent with the existing FSR maps under Holroyd LEP 2013, which provide no FSR over land zoned for public open space and could result in an expectation of yield that could not reasonably be achieved.

The proposed FSR for the B2 zone has not changed since the previous proposal and remains at 0.7:1, which provides for a potential 7,280m² GFA, consistent with the Gross Leasable Area (GLA) indicated in the proposal and Economic Impact Assessment report.

Amenity

External

The revised concept has retained the broad principle of height transitioning, with the tallest buildings in the centre of the site and lower heights around the edges. This would minimise potential impacts on the privacy and solar access of surrounding properties.

The virtually continuous 'wall' of buildings along the southern boundary proposed in the previous concept has been removed and corridors of open space now separate the buildings. Additionally, some of the building heights along the southern boundary have been reduced from 4 storeys to 3 storeys. This reduces the bulk of the development, improving the amenity for properties to the south, including solar access and privacy. The proposed setback along the southern boundary has been revised to 10m, which is consistent with Council's DCP controls and the ADG. However, the setback along the southern part of the western boundary (near Collins Street), which also adjoins the R2 Low Density Residential zone is only 6m, which does not comply with the ADG which specifies that setbacks adjoining a lower density zone are to be increased by 3m. As such, the setback along this section of the boundary would need to be increased to 9m in order to achieve consistency with the ADG.

Shadow analysis prepared by the proponent demonstrates that overshadowing of properties to the south would be less than 50% of the open space area between 9am and 3pm during the Winter Solstice. Council's DCP controls indicate that 3 hours of sunlight

between 9am and 4pm on the Winter solstice must be received by at least one main living area and at least 50% of the private open space of adjacent dwellings. These controls would need to be met at DA stage.

Internal

The revised concept has given consideration to SEPP 65 and the ADG in relation to solar access, ventilation and privacy. Residential facades have been arranged at angles to ensure optimal solar access for all apartments. Cross-ventilation would be achieved through a mixture of dual aspect apartments, corner apartments and cross-through apartments. Building separation has been provided in accordance with the ADG ensuring adequate privacy for residents.

The requirements of SEPP 65 (Design Quality of Residential Flat Development) and the ADG would need to be met at DA stage.

While the concept has addressed SEPP 65 provisions in relation to the residential component of the development, there would be impacts of overshadowing on the proposed public park. The revised concept proposes 4-6 storey buildings along the northern edge of the park which would result in varying degrees of overshadowing throughout most of the year, as shown in the diagrams below. Approximately one quarter of the park is overshadowed during the morning in March and September, however at the Winter Solstice the majority of the park is in shade for much of the day. This would substantially impact on the amenity and usability of the park and is not considered acceptable for what will become an important area of local community open space. The ADG states that solar access should be provided to public open space year round. Therefore, the height of buildings fronting the park from the North would need to be lowered and the buildings may also need to be set back, in order to prevent overshadowing or ensure that any overshadowing is within acceptable limits.



Shadow diagrams - Winter Solstice



Shadow diagrams – Spring equinox

Development Control Plan

A draft Development Control Plan (DCP) has been prepared by the proponent to provide more specific details and controls than can be provided through an LEP. The DCP once finalised and adopted by Council would be incorporated into the Holroyd DCP 2013. The DCP (provided in Attachment 4) includes controls relating to land use, building height, building siting, built form, open space, movement network, heritage, community & social. The proposed controls are generally acceptable, subject to the following:

- A control should be included regarding street wall height, requiring that a minimum upper storey setback of 3m is required for all floors above 4 storeys.
- A controls should be included requiring a 4m front setback from Dunmore Street for any new buildings.
- The building height diagram incorporated in the DCP includes some 4-storey buildings along the southern and western boundaries which immediately adjoin properties in the R2 low density zone. The maximum height of buildings along these boundaries should be 3 storeys.
- The DCP includes a control requiring a minimum setback of 10m from the site's southern boundary. This should be amended to incorporate any boundary of the site that immediately adjoins properties in the R2 low density zone.
- The controls relating to open space specify that the public park is to have a minimum area of 5,000sqm. This should state 5,300sqm.
- The building heights proposed in the concept plan along the northern edge of the park should be reduced in the centre to 3 storeys.
- A control should be included requiring a minimum 4 hours of solar access to at least 60% of the public park during the Winter solstice.
- The DCP should address provision of public parking for public facilities such as the park, based on the rates of provision for other similar sites in Western Sydney.
- A control should be included (and the concept plan amended accordingly) to allow for the establishment of a public pedestrian link at the South-Western corner

of the site should properties in the Collins Street area seek to redevelop in the future.

- Other minor changes and refinements (e.g. including property description, clarifications, typographical corrections and removing unnecessary text such as *“the consent authority is to apply a flexible approach...”*)

Provided that these issues can be addressed, it is expected that the DCP would achieve acceptable planning outcomes for the site and would reflect the concept submitted by the proponent.

Social Impact Assessment

A comprehensive Social Impact Assessment (SIA) for the revised concept has been prepared for the proponent by GHD. This document has been reviewed by Council's Social Planner and meets the requirements of Council's Social Impact Assessment Policy.

The SIA has adequately addressed the relevant impact matters. The potential positive impacts identified by GHD include:

- Supply of a more diverse and affordable housing mix (with the proposed development comprising 1,640 units – with 20% x 1 bedroom, 70% x 2 bedroom and 10% x 3 bedroom) at a suitable location (within walking distance of the Pendle Hill Town Centre and rail station and a range of community services)
- Improved safety in the locale from the implementation of Crime Prevention Through Environmental Design (CPTED) principles and the 'casual surveillance' provided by new residents and shoppers over the 'activated' street frontages, the publicly accessible and communal open space areas and the public domain generally
- Potential for substantially increased active transport – with a strengthening of pedestrian/cycle connections throughout the development and between the development and Pendle Hill town centre and local parks
- A reasonable generation of employment – initially in the demolition, construction and fit out stages of the development and then via the permanent employment of around 250 people in the commercial tenancies and the on-going support of local shops by around 4,000 new residents
- Potential for more active lifestyles with the provision of 2.51 ha of publicly accessible open space and 0.88 ha of communal open space (totalling 42% of the site and providing a range of active and passive recreation opportunities)
- Potential benefits to the wider Pendle Hill community in the form of publicly accessible facilities including parks, walking routes, the possible provision of a multi-purpose community centre (accommodating one or more of youth

- programs, seniors programs, health services and the like), interpreted heritage buildings, public art works, and an indoor sports hall
- Integration of the development with the existing community via new resident welcoming programs.

The potential negative impacts identified by GHD include:

- Impacts on the carrying capacity of existing and planned recreation infrastructure (e.g. parks, swimming pools and libraries)
- Insufficient capacity of local public schools, health services and childcare facilities to accommodate the additional populations
- Construction amenity impacts.

The proponent includes a Social Impact Management Plan which provides strategies and monitoring mechanisms to help enhance positive social impacts and mitigate negative social impacts in accordance with Council's requirements. These include:

- The provision of multi-purpose community centres/spaces
- Ensure good access and walkability throughout the site and connectivity to Pendle Hill town centre
- Increase bus services in the area if required
- Provision of a publicly accessible multi-purpose park larger than 3,000sqm and catering to the needs of a wide range of user groups
- Retention and reuse of heritage buildings
- Consideration of the provision of a range of community facilities within the heritage buildings on site – potentially including a new indoor sports court facility, child care, OOSH service, youth services, seniors' programs, multi-purpose bookable spaces (for community health services, affordable office/workshop spaces and/or employment/training programs)
- Provision of interpretive and public art works
- Full integration of the development with the surrounding community, including a new residents welcome program
- Construction management plan
- Implementation of CPTED principles
- Registration with the National Broadband Network to ensure high quality internet service.

The proposed 3.4 ha of open space, including 2.51 of publicly accessible open space (representing 32% of the site), is a reasonably good outcome for a brownfields in-fill residential development. While this is less than the existing per capita provision of open space within the City, the proponent's argument that meeting the higher standard is 'unaffordable' is supported. The emphasis on ensuring that the space is highly functional, multi-purpose and well embellished to cater to broad needs is also

supported. The more effective use of a slightly smaller amount of space is of more benefit than a less effective use of a slightly larger area.

It is finally noted that the objective of ensuring that 10% of dwellings to be adaptable is inconsistent with Council's DCP requirement that 15% of dwellings be adaptable.

Many of the recommendations of the SIA have been addressed through the concept design and will be required at DA stage through the ADG. Others such as those relating to the provision of a community multi-purpose centre would be dealt with through the VPA. It is expected that the other recommendations that cannot be addressed at the Planning Proposal stage can be addressed once more detailed designs are provided as part of a future staged development of the site.

Economic Impact Assessment

The proposed commercial floor space has not been altered under the revised concept. As such there would be no changes to the economic impact of the proposal. The proposal includes the provision of up to 6,000m² of commercial floor space. This is consistent with the recommendation of the peer review of the proponent's economic impact assessment that was undertaken previously, which advised that the commercial floor space within the site should be reduced from 8,000m² (as previously proposed) to 6,000m² to minimise the impact on the Pendle Hill centre.

Traffic & Transport

An updated Traffic Assessment was provided for the revised concept and this was reviewed by Council's Traffic Engineering Section.

The revised concept includes a simpler road layout which would allow more efficient traffic circulation. The Dunmore Street access has been relocated further west, close to the western boundary of the site.

The proposal would result in additional traffic generation that would affect the operation of the Gilba Road/Pendle Way intersection and measures to address the poor performance of the intersection would need to be addressed prior to public exhibition. The proponent's traffic modelling indicates that the average delay at the intersection would increase from 125 seconds to 570 seconds in the PM peak (3.5 times) and from 127 seconds to 799 seconds in the Saturday peak (>5 times). This indicates that the impact of the proposal on the traffic operation of the existing intersection will need to be addressed. Two options were considered to overcome the traffic capacity issues, these being traffic signals and a small roundabout. A preferred option would need to be identified prior to any Gateway Determination, approved by Council's Traffic

Committee and any changes included in Council's revised Section 94 Development Contributions Plan.

While Council's assessment raised concern about the proposed roundabout on Dunmore Street being too close to the signalised intersection, the proponent's traffic advice indicates that the roundabout would allow for 70m of queueing between the two intersections, and modelling shows that no conflict between the intersections would occur. The RMS would need to determine whether this is acceptable when the Proposal is referred to it post-gateway.

Council's assessment also indicated that impacts from vehicles turning right to access the site via Jones Street need to be assessed, and in the case that there are impacts on traffic flow left-in/left-out treatments should be considered. The proponent's traffic modelling indicates that the greatest predicted queue would be two vehicles, which is not considered to be an issue. Consequently, left in / left out treatments do not need to be considered.

Parking

Resident parking will be accommodated in an underground carpark located in the southern portion of the site. Parking for the commercial and community components of the site will be accommodated underground in the northern part of the site.

The revised concept provides the following indicative parking rates:

- Residential parking: 1,700 spaces (1 per dwelling)
- Visitor parking: 340 spaces (1 per 5 dwellings)
- Retail parking: 140 spaces (1 per 44sqm GFA).

The proposed rates of parking provision for the residential component of the proposal are in accordance with Council's DCP controls. However, the residential component of the proposal would be subject to the rates of parking provision identified in SEPP 65, with 1,513 spaces required for 1,700 dwellings. This is broken down as follows:

- 1 bedroom (0.6 per dwelling) = 204 spaces
- 2 bedroom (0.9 per dwelling) = 1071 spaces
- 3 bedroom (1.4 per dwelling) = 238 spaces.

Visitor parking would be the same as required under the DCP.

The proposed parking for the commercial component is less than half of that required under Council's DCP (1 per 20sqm GFA minimum, required for ground floor premises in B2 zones in Pendle Hill). This would need to be increased in order to meet the DCP

requirements at development application stage and would likely require a further basement level.

The Traffic Assessment report indicates that significant additional on-street parking spaces will be provided in the new road reserves within the site. While it is proposed that visitor parking be provided within the basement carpark as well as on internal roads, Council requires that all visitor parking be provided within the development site, i.e. on private land associated with each apartment development and preferably within a basement level.

On-street parking on new internal roads would need to offset any parking that would be lost from Dunmore and Jones Streets, as well as providing additional public parking for users of the park and the broader community that may be visiting the site.

Pedestrian Access

The revised concept provides for good pedestrian access for both the public and residents. Public access is provided east-west through the heritage precinct and local park as well as north-south through the centre of the site. Additional pedestrian routes are also provided for residents, ensuring a high level of permeability through the site. Nonetheless, it is recommended that the concept plan be refined to not preclude the establishment of a public pedestrian link at the South-Western corner of the site should properties in the Collins Street area seek to redevelop in the future. Access such as this would enable properties to the South and South-West to more easily utilise the community assets and commercial areas within the subject site.

Heritage

The revised concept submitted by the proponent has addressed a number of concerns raised as part of the previous concept and has been further reviewed by Council's heritage advisor. An updated Conservation Management Plan (CMP) has been prepared by the proponent, as well as a Heritage Assessment prepared by GML.

The revised concept has given consideration to building heights fronting Dunmore Street and within the Heritage Precinct. The proposed 4 storey height limit fronting Dunmore Street is compatible with the scale of the extant streetscape and the retained elements.

The assessment also takes into account concerns raised as the adequacy of the maintenance of sight lines and visual relationship of the property and the, adjacent, Dunmore House that is also an item of heritage significance that pre-dates the foundation of the Bonds Spinning and Knitting Mills. The proposed scale within the

Conservation Zone in the northern part of the site is conducive to the retention of sight lines and the visual relationship with Dunmore House.

Council's Heritage Consultant has advised that the revised statement of significance acknowledges the significance of the activities of the site, however, it underplays other aspects of the site's significance. Firstly, it understates the national economic significance of the property in being the genesis of an international brand. Secondly, it does not give sufficient acknowledgement to the technological significance of the establishment of an industry that created significant levels of employment throughout several facilities in Australia during the 20th century.

Additionally, the CMP still fails to incorporate suitable acknowledgement of the site's State heritage significance, which has been recognised by heritage consultants representing both Council and the proponent. This acknowledgement of State significance will need to be incorporated into the CMP prior to the commencement of the public consultation process for the Planning Proposal.

The revised proposal, like the previous one, proposes demolition of the Old Spinning Mill, which is identified as being of high significance. The degree of intervention necessary for it to be adapted for other uses would lead to the loss of the elements for which it was regarded as being significant. It is considered that the retention of the cutting room, which is of a similar design, would compensate somewhat for the loss of the Old Spinning Mill.

The revised concept incorporates retention of the Dance Hall building in the north-western part of the site, which was proposed to be demolished under the previous concept. Further analysis of the building undertaken by the proponent has indicated that it is structurally sound and should be retained. This revision is supported and will provide a social dimension to the interpretation strategy that will inform future development of the site.

The recommendations of the heritage assessment are endorsed by Council's heritage advisor, and are outlined as follows:

1. Specific Element Conservation Plans (SECPs) should be prepared to provide detailed conservation guidelines, including appropriate adaptation and reuse options, for each of the buildings to be retained and adapted in accordance with the revised masterplan.
2. The design of the proposed new apartment buildings along Dunmore Street should sensitively respond to the retained heritage buildings and the character of the former Spinning Mills site. The design should consider how the heritage buildings can be incorporated into new development, and not overwhelm the scale of the Administration Building and other buildings that are to be retained.

The composition of new and retained buildings should present as a cohesive group with a strong horizontal emphasis to Dunmore Street. These principles should be reflected in any future DCP or detailed masterplan for the site.

3. A comprehensive landscape plan should be prepared to complement the masterplan for the site. The landscape plan should include a detailed design for the proposed Heritage Precinct to ensure that the proposed open space provides an appropriate context and interpretation focus for the retained significant buildings and other elements associated with the former Bonds Spinning Mills, while acknowledging the functional connections between these items as key components of its operation.
4. The Bonds archives, which are significant at the state, and possibly national, level, should be compiled, catalogued and appropriately stored, either on site or at a suitable repository where public access for bona fide research can be provided. The surviving architectural/engineering drawings and plans should be similarly conserved and managed.
5. The Bonds factory equipment that has not been sold or relocated should be collected and an inventory prepared which will determine its significance and potential for display as part of the broader interpretation of the former Bonds Spinning Mills site.
6. Although any extant archaeological deposits on the site are expected to have been largely compromised by the extensive earthworks undertaken throughout the late twentieth century, an Archaeological Assessment for the site should be prepared as part of the development application phase of the project.
7. An Interpretation Plan should be prepared for the site, detailing how the history of the former Bonds Spinning Mills site and the buildings being retained will be effectively and intuitively interpreted as part of the development. The Interpretation Plan should use the Bonds archives, architectural/engineering drawings and plans, remaining factory equipment and available oral histories to communicate the rich history of the site to future residents and also the broader community of Pendle Hill.
8. An Aboriginal Due Diligence assessment should be undertaken prior to the development application stage of the project. If the AHIMS search or visual inspections indicate that the former Bonds Spinning Mill site has the potential to contain Aboriginal objects, and the proposed redevelopment is likely to cause harm to these objects, then consultation and the preparation of an Aboriginal Heritage Impact Permit Application under Part 6 of the *National Parks and Wildlife Act 1974* would be required prior to any works commencing on the site.

Open Space

The revised concept incorporates around 2.5 ha of public open space incorporating the following:

- Public local park 5,310sqm
- Public plaza 6,190sqm
- Publicly accessible pocket parks and linkages 13,620sqm.

The proposed dwelling yield of approximately 1,600 dwellings would equate to around 3,800 people, generating demand for 2.74ha of informal open space at the current planned rate of provision (0.72ha per 1,000 people). This indicates a shortfall of 0.24ha.

The proposed provision of public open space is only around 400sqm more than under the previous concept. Council's analysis of open space under the previous concept indicated that the proposed public open space provision of 2.47ha was more in keeping with a dwelling yield of 1,300-1,400, and the option previously endorsed by Council included a dwelling yield of approximately 1,300. As such, the proposed open space provision is not commensurate with the current dwelling yield. 2.51ha of open space would be more consistent with approximately 3,500 people (1,500 dwellings). Nonetheless, as previously indicated, the proposed provision of public open space is considered generally acceptable given that the site is a brownfield site and the design and amenity of the space will ensure that it will effectively cater to a range of community and recreation activities that will evidently fulfil the same function as a larger area.

Voluntary Planning Agreement

A Draft Heads of Agreement (offer) for a Voluntary Planning Agreement (VPA) has been provided by the proponent to articulate proposed works that they will provide to support the redevelopment of the Bonds site and to identify any development contributions that can be offset through the provision of these works (refer to Attachment 5). The Agreement will exclude the application of Section 94 (except for contributions in relation to sporting fields and land for citywide open space). Not all proposed works can be offset against development contributions, however, such works will still contribute to the redevelopment of the site and can provide a direct benefit to the development itself, as well as providing some justification for reasonable development yield from the site. While the Draft Heads of Agreement will be sufficient for public exhibition purposes, a Draft VPA would be required at DA stage. The draft offer is outlined in the following table and comments are provided in relation to each proposed item.

<p>Open space</p> <ul style="list-style-type: none"> • Dedication of 5,300sqm of land for a public park, with ownership to be transferred to Council within 12 months of completion of development. • Provision to the public of approximately 	<p>This would satisfy the provision of a local public park under Council's Section 94 Contributions Plan, offsetting development contributions for local open space, on the basis that all embellishment works would be</p>
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<p>8,700 sqm of the land by positive covenant for the purposes of public pocket parks and a Dance Hall garden.</p> <ul style="list-style-type: none"> • Embellishment works to be agreed with Council. 	<p>carried out by the proponent. The development would still be subject to contributions for citywide open space and sporting fields however.</p>
<p>Marketplace Plaza and Entry Boulevard</p> <ul style="list-style-type: none"> • Provision to the public of approximately 6,200 sqm of the Land by positive covenant for the purposes of a Marketplace Plaza and Entry Boulevard. • Embellishment works to be agreed with Council. 	<p>This would be considered a public benefit and would be accepted as a dedication under a VPA. It is likely this would be offset against contributions for Pendle Hill public domain works. The proponent has not indicated whether they would also contribute towards public domain works in Pendle Hill.</p>
<p>Community Hub Space</p> <ul style="list-style-type: none"> • Provision to the public of the use of multi-use rooms/offices within one of the retained heritage buildings on the Land for the purposes of creative, cultural and community-orientated uses. • The location of the Community Hub space shall be determined in consultation with Council prior to lodgement of a Development Application for Stage 4. • Fit out works within the Community Hub space to be agreed with Council. • Developer to have ongoing responsibility for operation, maintenance and management. 	<p>While this may be considered a public benefit, it would not necessarily offset development contributions for community facilities works under Council's Section 94 plan. If the ownership does not come across to Council, then it is not a true dedication and there is no guarantee of ongoing public use.</p> <p>Council requires a minimum size and configuration for public meeting rooms. Location of the proposed community hub space would need to be determined in consultation with Council's Library & Community Services Department to ensure that the building is appropriate for its purpose.</p>
<p>Public Roads and Linkages</p> <ul style="list-style-type: none"> • Dedication to Council of approximately 6,800 sqm of the Land for the purposes of public roads and linkages. • Embellishment works to be agreed with Council. • Council to have ongoing responsibility for maintenance. 	<p>Public roads and linkages are only needed for the development and would not be considered a wider public benefit for the purposes of a VPA.</p>

<p>Public Art</p> <ul style="list-style-type: none"> • Provision to the public of Public Art to be located in the Public Park, Public Pocket Parks, Dance Hall Garden, Marketplace Plaza and/or Entry Boulevard for the purpose of commemorating the former industrial use of the Land. • The location and value of the Public Art to be agreed with Council. • Council to have ongoing responsibility for maintenance of the Public Art located in the Public Park, developer to have responsibility for remaining public art. 	<p>Public Art is not identified in Council's Section 94 plan for the Bonds site. As such, there would be no offset for these works.</p>
<p>Adaptive Reuse and Heritage Conservation</p> <ul style="list-style-type: none"> • Developer responsible for construction of the Heritage Conservation Works in accordance with Development Consent • 	<p>It is important that the restoration and maintenance of heritage buildings is included in the VPA. Further discussion is required to determine the nature of the work and define the roles & responsibilities.</p>

The VPA would be negotiated post-gateway and would need to be finalised prior to lodgement of the first Development Application for the site.

Flooding & Stormwater Management

As noted during the previous assessment of the rezoning proposal for the site, there is very limited flood affectation on the site, and details in relation to this matter can be addressed following a new Gateway Determination.

The proponent has acknowledged that the proposal would need to comply with Council's 'On-site Stormwater Detention Policy' (OSD Policy). The proponent's stormwater management advice indicates that the proposal would allow sufficient space for the implementation of OSD and Water Sensitive Urban Design (WSUD) in-line with Council's policies, and will be further developed during the later stages of design development, mainly in the development application stage.

Contamination

The proposal complies with SEPP 55 at this stage, however, a Stage 3 Remediation Action Plan, site audit statement and clearance certificate must be submitted with any

Development Application. This has not changed since the concept was previously considered by Council.

Options

Two options have been provided for Councils consideration and are detailed below. Option 1 is the planning proposal request as submitted; Option 2 is in accordance with the revisions recommended as part of this report including reducing the overall residential FSR on the site to 1.8:1 and Height of Building Map adjustments that include a reduction in height from 8 storeys to 4 storeys along the southern portion of the site and a reduction from 6 storeys to 4 storeys along the northern edge of the proposed park.

Option 1 - Planning Proposal Request as Submitted (approx. 1,600 dwellings)

- 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.
- ii) Maximum floor space ratio of 0.7:1 for the B2 business zone, 1.3:1 for the northern R4 residential and RE1 open space part of the site and 2.4:1 for the southern R4 residential zoned part of the site.

Option 2 – Recommended Alternative Planning Proposal (approx. 1,500 dwellings)

- 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.
- 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.

Conclusion:

The revised proposal for the Bonds Spinning Mills site submitted in November 2015 provides a more desirable and beneficial outcome for the site than the previous concept. The built form and building configuration provide a better interface with adjoining properties to the south and with the heritage precinct in the northern part of the site. They also provide an improved outcome for new residents, creating more solar access, visual connections and permeability.

While the proposed dwelling yield and density is higher than that previously adopted by Council (1,300 dwellings), analysis of traffic and social impacts suggest that the proposed density can be accommodated within the site, subject to certain measures as outlined in the report and supporting documentation. Ensuring that the proposed density can work on this site will also rely upon efficient and effective design and embellishment of public open space, to provide high quality spaces that will meet the needs of new residents.

Subject to other matters relating to heritage, traffic and parking being addressed, as well as the recommended modifications to the proposed height and FSR maps representing a reduction in yield to approximately 1,500 dwellings, it is considered that the revised proposal for the Bonds site can be supported.

Consultation:

The Gateway Determination will specify the minimum community consultation requirements for the proposal. In addition to these minimum requirements, Council resolved at its meeting of 7 October 2014 to undertake the following:

- Public exhibition for a minimum of 42 days;
- Two community information sessions during the exhibition period;
- Public Hearing to be held;
- Open day/tour of the site during the exhibition period (to be arranged with the proponent);
- Notification in local newspaper for 4 weeks on Council's website and by letter to adjoining and opposite property owners.

Financial Implications:

A rezoning application fee was paid by the proponent in June 2014, coinciding with the lodgement of the previous Roberts Day proposal.

Policy Implications:

A planning proposal for the site would form the basis of an amendment to Holroyd LEP 2013.

Communication / Publications:

A media release and three notices in the local newspaper would be arranged at the commencement of and during the public exhibition of a planning proposal.

Report Recommendation:

- i) That Council proceed with preparing a revised planning proposal for the Bonds

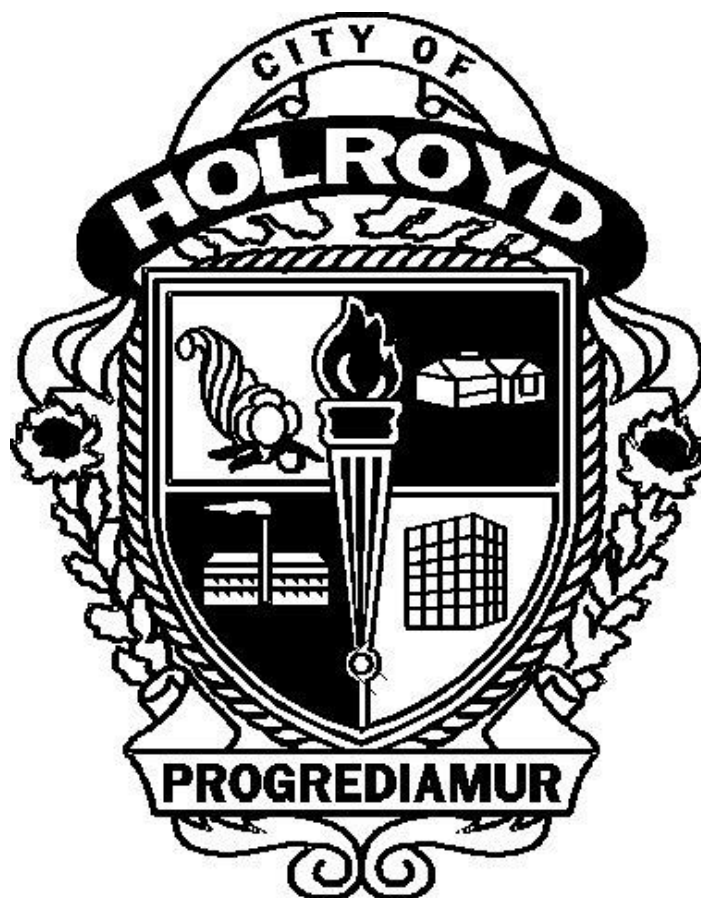
Spinning Mills site, which rezones the site for R4 High Density Residential, B2 Local Centre and RE1 Public Recreation as per the land use zoning map in Attachment 3.

- ii) That, in relation to maximum building height and FSR development standards for the planning proposal, Council resolve in accordance with Option 2 in Attachment 3.
- iii) That Council endorse the Draft Conservation Management Plan for the purpose of public exhibition following the inclusion of suitable acknowledgement of the site's State heritage significance and the Addendum providing diagrammatic guidance for built form and interpretation strategies, to the satisfaction of the Director Environmental and Planning Services.
- iv) That Council endorse the Traffic and Transport Report and Planning Proposal report for public exhibition subject to identification of a preferred option to address the traffic capacity issues at the Gilba Road/Pendle Way intersection, to be approved by the Holroyd Traffic Committee and any revised costings/works included in the revised Section 94 Plan.
- v) That the following be provided prior to public exhibition of the proposal:
 - a. A Conservation Management Plan fully incorporating the addendum and acknowledgement of the site's State significance.
 - b. A revised Development Control Plan incorporating the amendments recommended in this report.
 - c. Updated traffic report, Planning Proposal report and any other relevant documentation reflecting the preferred intersection upgrade option, correct parking provision in accordance with SEPP 65 & Holroyd DCP 2013 for both residential and commercial uses and indicating that all visitor parking for the residential development would be provided on private land.

Attachments:

1. Bonds Spinning Mill Site Planning Proposal Report
2. Urban Design Report
3. Draft LEP maps
4. Draft DCP
5. Draft VPA Heads of Agreement

Holroyd City Council



Minutes of the Ordinary Council Meeting 19 April 2016

MINUTES OF COUNCIL MEETINGS ARE SUBJECT TO CONFIRMATION AT A SUBSEQUENT
MEETING OF COUNCIL.

Report of the Development/Community Services Committee to the Ordinary Meeting of the Council of the City of Holroyd held at the Council Chambers, Memorial Ave, Merrylands on Tuesday, 19 April 2016.

PRESENT:

His Worship the Mayor, Councillor Cummings in the Chair; also Councillors, Dr. Brodie, Colman, Grove, Lake, Nadima Kafrouni, Nasr Kafrouni, Rahme, Sarkis, Whitfield and Zaiter.

DCS010-16 SUBJECT:REVISED PLANNING PROPOSAL REQUEST FOR BONDS SPINNING MILLS SITE BP16/373

Note: Clr. Zaiter made a special disclosure of pecuniary interest under Section 451(4) and (5) of the Local Government Act 1993 for this item, being that an associated person of the Councillor has interest in the land, left the Chamber and took no part in the debate no vote thereon.

Note: Standing Orders were suspended to permit the following speakers to address the meeting: Mr. Simon Parsons, Ms. Cheryl Lloyd, Mr. Philip Stevens, Ms. Abijana Raveendran, Ms. Margaret Chapman and Mr. Vasee Rajadurai.

On resumption, it was resolved on the motion of Clr. Grove, seconded Clr. Sarkis that:

- 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.
- 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.*
 - 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.”*
- iii) Council endorse the Draft Conservation Management Plan for the purpose of public exhibition following the inclusion of suitable acknowledgement of the

site's State heritage significance and the Addendum providing diagrammatic guidance for built form and interpretation strategies, to the satisfaction of the Director Environmental and Planning Services.

- iv) Council endorse the Traffic and Transport Report and Planning Proposal report for public exhibition subject to identification of a preferred option to address the traffic capacity issues at the Gilba Road/Pendle Way intersection, to be approved by the Holroyd Traffic Committee and any revised costings/works included in the revised Section 94 Plan.
- v) The following be provided to Council for endorsement prior to public exhibition of the proposal:
 - a) A Conservation Management Plan fully incorporating the addendum and acknowledgement of the site's State significance.
 - b) A revised Development Control Plan incorporating the amendments recommended in this report.
 - c) Updated traffic report, Planning Proposal report and any other relevant documentation reflecting the preferred intersection upgrade option, correct parking provision in accordance with SEPP 65 and Holroyd DCP 2013 for both residential and commercial uses and indicating that all visitor parking for the residential development would be provided on private land.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Ayes

Clr. Cummings (Mayor)
Clr. Dr. Brodie
Clr. Colman
Clr. Grove
Clr. Nadima Kafrouni
Clr. Nasr Kafrouni
Clr. Lake
Clr. Rahme
Clr. Sarkis
Clr. Whitfield

Noes

Nil.

Note: A Notice of Motion of Rescission has been received in relation to this item.

Attachment 4 Rezoning request