

# Report on Public Hearing

held on Wednesday 8 February, 2017 at 6.00pm

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***Proposal to seek an amendment to the Holroyd Local Environmental Plan 2013 (HLEP 2013) to amend planning controls for land within the Merrylands Station and McFarlane Street Precinct, Merrylands.***

*Prepared for  
Cumberland Council  
PO Box 42  
Merrylands NSW 2160*

*Prepared by  
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*Submitted 23 February, 2017  
Finalised 24 February, 2017*

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## 1.0 Background

The Holroyd LEP 2013 (HLEP 2013) introduced a new planning framework for Merrylands Centre increasing building heights up to 65m (20 storeys) and densities up to 9:1 in the core of the B4 Mixed Use zone.

Following the introduction of the new height controls, Council became increasingly aware of the need to review the building height controls in the Merrylands Centre as a means of providing greater flexibility in delivering the current floor space potential permissible under the LEP. The need was highlighted by the expected rate of growth and anticipated redevelopment potential that was identified for the Merrylands Centre. There are several development proposals within the Merrylands City Centre, and increased flexibility would allow such proposals to proceed.

On 20 October 2015, Council resolved to undertake an independent review of the current building heights in the core of Merrylands Centre with consideration given to:

1. The current building heights constrain the reasonable achievement of floor space yields within the quality built form outcomes that may have an unnecessarily high impact on sunlight access to planned public spaces and future buildings on Merrylands Road;
2. The Urban Design Strategy for Merrylands Centre recommended by HBO+EMTB Urban and Landscape Design in 2012 included the principle of generally providing greater heights on the southern side of McFarlane Street reflecting its width and presentation to the north; and
3. The two key focal points within the Centre being Merrylands City Square and the Merrylands Rail Station should ideally be identified by more prominent landmark buildings.

On 13 November 2015, SJB Architects were appointed to undertake this review.

The outcomes of the review were reported to Council on 1 March 2016 and the following was resolved:

- i. Council proceed to conduct pre-Gateway consultation to propose an amendment to Clause 4.3 Height of Buildings to the Holroyd Local Environmental Plan 2013 and associated maps as indicated in the last column of Table 2 in this report including a proposal to reduce FSRs by 0.5:1 across the Study Area.
- ii. The Planning Proposal incorporate the resolution of 17 March 2015 in relation to Land Reservations in the Study Area, including adjustments to FSR maps with the exception of the northern arm of the Main Lane extension notwithstanding point i) above.
- iii. The Planning Proposal include an amendment to the Holroyd Local Environmental Plan 2013 to introduce the recommended design excellence controls including design bonuses of 0.5:1.

Following the pre-gateway consultation, a further report was provided to Council on 3 May 2016 where the following was resolved:

- i. Council resolve to forward a Planning Proposal to amend Holroyd Local Environmental Plan 2013 in accordance with the exhibited Merrylands Station and McFarlane Street Precinct Proposal to the Department of Planning & Environment for Gateway Determination with the following changes:
  - The area subject to the Merrylands Station and McFarlane Street Precinct Planning Proposal be expanded to include No. 244 – 252 Pitt Street and the Council land adjacent to Merrylands Station (Lot 1 Terminal Place).

- The height of buildings proposed for No. 244-252 Pitt Street be increased to 65m (20 storeys).
- The FSR for Site 11 (193-201 Merrylands Road) be increased from 6:1 to 8:1 subject to further site testing to confirm the site can accommodate the revised footprint. The height of buildings proposed for the ‘Stockland Court’ site (233-259 Merrylands Road and 52-54 McFarlane Street) be revised as follows:
  - Site 9a – 77m (23 storeys)
  - Site 9b – 55m (16 storeys)
  - Site 9c – 43m (12 storeys)
  - Site 9d – 55m (16 storeys)
  - Site 9e – 77m (23 storeys)
- ii. The Planning Proposal incorporate the resolution of 17 March 2015 in relation to Land Reservations in the study area, including adjustments to FSR maps with the exception of the northern arm of the Main Lane extension.
- iii. Council advise the Department of Planning & Environment that it wishes to exercise its plan making delegations for the Planning Proposal.
- iv. A further report be provided to Council following the exhibition of the Planning Proposal.
- v. Council pursue an agreement with Stockland for the free dedication of the Stage 1 laneway land on the basis of the FSR standards in the Planning Proposal and the resulting GFA potential, as well as the mutual direct benefit to Stockland.

On 15 August 2016, the Gateway Determination approved the Planning Proposal to proceed with several conditions. One condition of approval was that, following the community consultation exhibition period, Council conduct a Public Hearing in accordance with Section 56(2)(e) of *the Environmental Planning and Assessment Act 1979* given the Planning Proposal includes Council owned land that will benefit from a height increase.

This is a report of the proceedings of that public hearing.

## **2.0 The Local Government Act 1993 No 30**

Notice of a public hearing must be published in a local newspaper 21 days prior to the start of the public hearing (refer to Department of Planning’s LEP Practice Note PN-09-003 dated 12 June 2009). The notices published for the Public Hearing held on 8 February 2017 by Cumberland Council are at **Attachment A** of this report.

Section 47G of the *Local Government Act 1993* requires Council to make the report of the public hearing available for inspection by the public at a location within the Council local government area not later than 4 days after its receipt by Council.

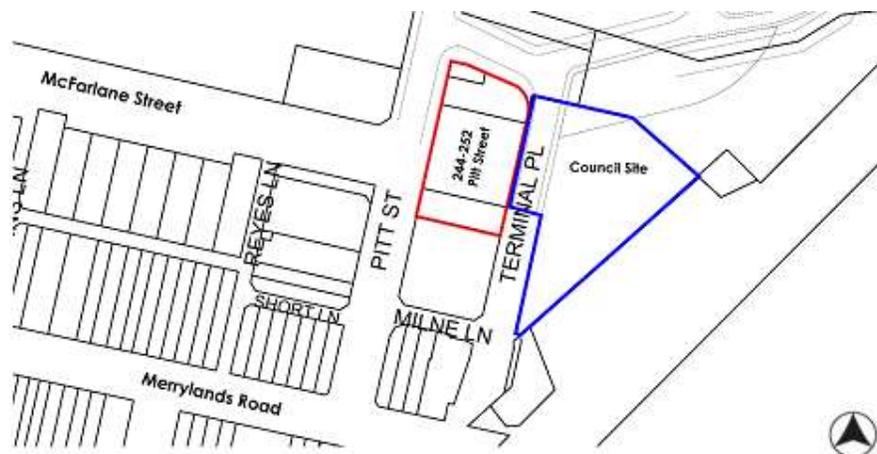
In addition, notification letters to were sent to those who provided a written submission, informing them of the hearing and a notice about the hearing was also published on Council’s website <http://www.cumberland.nsw.gov.au/have-your-say/public-hearing-planning-proposal/> and Council’s Facebook page (see **Attachment A**).

### 3.0 The Site



**Figure 1: Subject site bounded by McFarlane Street, Merrylands Road, Treves Street, and Terminal Place**

The subject site, see Figure 1, is located on the northern side of Merrylands Road, and is currently occupied by a mix of small businesses, cafes, restaurants, and the McFarlane Street car park – directly opposite Stockland Mall and the Merrylands Bus Terminal site. The site is currently zoned B4 Mixed Use with maximum building height limits ranging from 41m-65m, and Floor Space ratio (FSR) ranging from 3:1 to 9:1. Council owns part of the subject site, refer to Figure 2 for details.



**Figure 2. Lot 1 Terminal Place, Merrylands (outlined in blue) is a Council owned site.**

### 4.0 Planning Proposed Summary

In summary, the Planning Proposal seeks to:

- Amend maximum building height limits upwards, ranging from 43-105m as per the Height of Buildings Map;
- Amend Floor Space Ratios (FSR) upwards, ranging from 3:1 to 8.5:1 as per the Floor Space Ratio Map;
- Amend land use from B4 Mixed Use to RE1 Public Recreation, reduce maximum building height to no height and reduce FSR to no FSR for Lots 18G, 1 & D Merrylands Road (DP 383945, DP 658197, & DP 344249 respectively) as per the Land Zoning Map and Land Reservation Acquisition Map;

- Amend land use zoning from B4 Mixed Use to SP2 Infrastructure (Local Road Widening) as per the Land Zoning Map and Land Reservation Acquisition Map; and
- Introduce design excellence provisions into the HLEP2013.

The maps referred to within this section are available at Council's website

<http://www.cumberland.nsw.gov.au/strategicplanning/planning-proposal-amendments-to-holroyd-development-control-plan-2013-and-design-excellence-guidelines-merrylands-station-mcfarlane-street-precinct-merrylands/>

## 5.0 Public Hearing

Following a Gateway Determination and Council's exhibition of the Merrylands Station and McFarlane Street Precinct, Merrylands Planning Proposal, a public hearing was held at the Holroyd Centre, Wattle Room, 11-17 Miller Street, Merrylands on Tuesday 8 February, 2017 commencing at 6:00 pm and concluding at 6.50pm.

The presentation prepared for the hearing is at **Attachment B**.

Ms. Bernadette Harris, an independent consultant appointed by Council facilitated the meeting.

Council staff were also present to answer any enquiries raised with regards to the proposal. Mr Malcom Ryan, Interim General Manager, Mr Hamish McNulty, Deputy General Manager, Mr Adan Davis, Group Manager Planning, Mr Michael Rogers, Coordinator Strategic Planning, Ms Monica Cologna, Manager Strategic Planning, and Mr Anthony Blood, Senior Strategic Planner, attended on behalf of Council.

As recorded on the attendance sheet, the following people attended the hearing:

Ms Gillian Kirby- 12/29-31 Newman Street, Merrylands  
Mr Geoffrey Smith – 19 Military Road, Merrylands  
Mr Michael Trirh (?) – 8/2 Saltash Street, Yagoona  
Ms Mariya Gojan – Shop 1 & 2, 215 Pitt Street, Merrylands  
Mr Frank Cuzzupou – McFarlane Street, Merrylands  
Mr Anthony Chalhoub – 302 Merrylands Road, Merrylands

The Facilitator explained the purpose of the meeting and provided an overview of the Hearing's proceedings and of the Planning Proposal. Attendees were encouraged to offer their perspectives and comments.

### Objections, comments, and support received

#### 1. Matters raised by Mr Geoffrey Smith:

- a) Concerns about Council land opposite the train station being over developed to maximise profits.
- b) Does not want to be opposite large dominating buildings, if he can't develop his site to the same potential.
- c) Why can't I go more than 3 storeys over my site, when other sites get significant uplift within the Merrylands Centre?

Council's response to matters raised:

- a) Mr Michael Rogers (Coordinator Strategic Planning) addresses question and notes that anyone can lodge a Planning Proposal request with Council, based on the merit of the subject site.

- b) Ms Monica Cologna (Manager Strategic Planning) addresses question and states that Council are currently focusing on the town centres within the Cumberland LGA and will review the surrounding areas strategically as the need arises.

Mr Smith notes in closing “I just want what they have” referring to the sites surrounding his site and their potential for development. Mr Smith noted the information provided, and did not have further questions.

2. Matters raised by Ms Gillian Kirby:

- a) The two notifications in the local paper regarding the Planning Proposal did not invite people to come and speak. The Public Hearing notification was misleading and lacked transparency. Because:
- o Storey height increases are not listed,
  - o No disclosure of the 60% height increase of and that this is to the Council car park and forms part of the Council’s plan for a city square.
  - o The advertisements and notices on Council’s website are not attention grabbing and therefore not likely to attract interest or attendance at this meeting.<sup>1</sup>
- b) Ms Kirby feels she represents the community viewpoint given she spoke with residents at the time the original 20 storey proposal went on exhibition and gathered 1800 signatures against the proposal. Further, Ms Kirby suggests that it seems unlikely the current proposed height increases would be supported by those who signed the petition, given their opposition to the original 20 storeys. Ms Kirby recommends the 32 storey height increases be taken to a poll at local election time like the one suggested, by the Administrator, for the proposed aquatic centre.<sup>2</sup>
- c) Community forums about the proposed City Square, conducted by the former Holroyd Councillors and Officers, had attendance of about 10 people, those attending were not asked if they agreed with the proposal, and when concerns were raised about traffic and infrastructure they were ignored or dismissed. The forums were then summarised as “reflecting overwhelming support”.<sup>3</sup>
- d) The proposal seems a “done deal “as the Council has already acquired properties for the City Square and compulsory acquisition arrangements are in place for adjacent owns who do not wish to sell.<sup>4</sup>
- e) There is a concern that this proposal will encourage, overcrowding 10,000 extra people within the centre), untenable congestion (5000 more cars) and saturation for the small Merrylands Town Centre and its environs. Further, issues relating to infrastructure, overshadowing, privacy, resident and vehicle numbers need to be considered in a holistic manner. This means, considering adjacent developments, for example the Neil Street Precinct Planning Proposal and the Merrylands RSL tower development, and assessing the cumulative impact local proposals have on the Town centre and surrounding area.<sup>5</sup>
- f) Solar Access is a problem in the proposed square.
- g) The car park should be developed without a city square, without further increase in height, unit numbers, population and so forth, above what is allowed through the current LEP and Development Control Plan. <sup>6</sup>

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<sup>1</sup> Gillian Kirby, 2017, Report presented to the Public Hearing – Planning Proposal, Merrylands Station & McFarlane Street Precinct, Merrylands, p.1

<sup>2</sup> Ibid, p.1.

<sup>3</sup> Ibid, p 1

<sup>4</sup> Ibid, p.2.

<sup>5</sup> Ibid, p.2.

<sup>6</sup> Ibid, p.2.

- h) Given that the NSW Government growth targets could be achieved prior to implementing HLEP 2013, then the increase to yield levels, which is provided as the rationale for this Planning Proposal is not necessary to achieve the NSW targets. This supports the argument that the Proposal will lead to overdevelopment.<sup>7</sup>
- i) Comment on the Design Excellence Guidelines: It is worth considering from whose perspective design excellence is determined as there are many relevant perspectives such as that of residents and the broader community. The Joint Regional Planning Panel also have a perspective, and one that is not necessarily consistent with that of these other stakeholders as was the experience of Ms Kirby with the 2 Wayman Place matter. Compliance and design should be considered as part of the whole DA process and not by separate bodies. <sup>8</sup>

A Council's response to matters raised:

- a) It was acknowledged by Council that these matters had been previously addressed through the written submission process.

### 3. Matters raised by Mr Anthony Chalhoub

- b) I am located within the enterprise corridor along Merrylands Road and want to be rezoned as well. My site is situated only one block away from the Dyldam site situated at 272-284 Merrylands Road, Merrylands. I am not against development. What I want to know is will we be able to have our site rezoned?
- c) Mr Chalhoub also noted that when he asked the Customer Service Staff at Merrylands if there was a public meeting was to be held on February 8, he was advised that no public meeting was scheduled.

Council's response to matters raised:

- a) Michael Rogers (Coordinator Strategic Planning) addresses the question, the current Planning Proposal only covers land within the core of the Merrylands Centre, there are presently no plans to change the zoning or development standards in the surrounding area.

### 4. Matters raised by Ms Mariya Gojan:

- a) Ms Gojan is the President of the Merrylands Chamber of Commerce and in this capacity asked about the notification process. Ms Gojan stated that there was concern that lease holders did not receive notification letters regarding public exhibition of the planning proposal. In addition, Ms Gojan noted that only the land owners received letters notifications and feels there is a need to notify business owners and tenants. This process doesn't encourage people to speak.

Council's response to matters raised:

- b) Michael Rogers (Coordinator Strategic Planning) addresses question, by clarifying the notification process for the community consultation period for the planning proposal:
  - A large notification radius surrounding the Merrylands Centre was selected;
  - Hundreds of letters were sent to land holders within this selected radius;
  - The Planning Proposal was exhibited for 28 days and during this period was open to public comment;

<sup>7</sup> Gillian Kirby, 2017, Report presented to the Public Hearing – Planning Proposal, Merrylands Station & McFarlane Street Precinct, Merrylands, p.3

<sup>8</sup> Ibid, p.3.

The notification for the public hearing included:

- advertisements in the local newspaper 21 days prior to the hearing plus a further notification the week prior to the hearing;
- Notification on the Council website and Facebook page;
- Letters to those who had previously made a submission during the community consultation period

## **6.0 Conclusion**

Attendees were offered a final opportunity to ask questions and offer comments. None sought to address the meeting further.

The hearing was closed at 6:50pm.

**Attachment A – Public Notices**

Notice posted in the Parramatta Advertiser on January 18 2017

## Cumberland Council Announcements

Turn to page 33 for details on the Public Exhibition – Amendment to Holroyd LEP 2013  
23–27 Lytton Street, Westmead, NSW

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**Exhibition of Draft Cumberland Council Compliance and Enforcement Policy**

At Council's meeting of 21 December 2016, Council resolved to place on public exhibition for 28 days, Cumberland Council's Draft Compliance and Enforcement Policy.

The Compliance and Enforcement Policy aims to ensure that Council's regulatory functions are exercised consistently and without bias, in accordance with legislation. The policy will assist Council officers to respond consistently and effectively to complaints of unlawful activity.

Whilst it is intended that the principles in this policy will have general application, there may be cases where the particular circumstances justify departure from these principles.

The Compliance & Enforcement Policy can be viewed at Council's Website [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au).

A submission can be made in writing before 5pm Wednesday, 8 February 2017. All written submissions must be made to the Interim General Manager, Cumberland Council, PO Box 42, Merrylands NSW 2160 or be emailed to [enforcement@cumberland.nsw.gov.au](mailto:enforcement@cumberland.nsw.gov.au). Anonymous submissions will not be considered.

Please quote "PP Compliance & Enforcement Policy" as the relevant subject reference on your submission. For further information, please contact Council's Senior Environmental Health Officer, Stuart Rynn on 9840 9820.

**Public Hearing – Planning Proposal Merrylands Station & McFarlane Street Precinct, Merrylands**



*Proposed Public Square*

Cumberland Council has approved a Planning Proposal to amend Holroyd Local Environmental Plan (LEP) 2013 for the Merrylands Station & McFarlane Street Precinct within the Merrylands City Centre.

In accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, Council will be conducting a Public Hearing in relation to this Planning Proposal.

The Public Hearing will be held on Wednesday, 8 February 2017, at the Hakkio Centre, 11–17 Miller Street, Merrylands, commencing at 6pm.

The Merrylands Station & McFarlane Street Precinct includes land in the core of the Merrylands Centre bounded by McFarlane Street, Merrylands Road, Tynes Street and the railway corridor.

The objective of the Planning Proposal is to provide greater flexibility in which to deliver the current floor space potential for developable sites within the Merrylands City Centre. The planning controls proposed to be amended are the maximum building height and the maximum floor space ratio (FSR). The Planning Proposal also includes a Floor Space Ratio Interpretation Map and amendments to the land use zoning to facilitate the extension of Main Lane, road widening on McFarlane Street and the expansion of the new proposed Merrylands Square through to Merrylands Road. Design excellence provisions are also introduced to encourage new developments to contribute to the urban and public domain character.

In order to support the amendments proposed for Holroyd LEP 2013, amendments are also being proposed to Holroyd Development Control Plan (DCP) 2013 in the form of Precinct Development Controls that provide more detailed planning controls for the Merrylands Centre.

All relevant information in relation to the relevant amendments may be viewed on Council's website <http://www.cumberland.nsw.gov.au/strategicplanning/>.

If you require further information about this Planning Proposal, please contact Council's Strategic Planning section on 9840 9840 or visit the Council Administration Building at 16 Memorial Avenue, Westmead between 8:30am and 4:30pm Monday to Friday to speak to an officer in person.

**Proposed Developments**

**Residential Flat Building**

The exhibition period for the following application is from 18 January 2017 to 15 February 2017.

File: DA 2016/5177

Site: Lots 10, 11 & 12: DP 1317256 and known as 7 Houston Street, Westmead

Proposed: Demolition of existing structures; consolidation of 3 lots into 1 lot; construction of a 4-storey residential flat building comprising 13 units over basement parking accommodating 18 car parking spaces

Contact: William Attard, 9840 9825

**Mixed Use Development**

The exhibition period for the following application is from 18 January 2017 to 15 February 2017.

File: DA 2016/490

Site: Lot 1: DP 433206 and known as 127 Great Western Highway and Lot 352: DP 13239 and known as 129 Great Western Highway, Mays Hill

Proposed: Demolition of existing structures; consolidation of 2 lots into 1 lot; construction of a 7-storey mixed-use development comprising 29 residential units; ground floor commercial space above basement parking accommodating 45 car parking spaces under Affordable Rental Housing SEPP 2009

Contact: William Attard, 9840 9825

**Multi Dwelling Housing Development**

The exhibition period for the following applications is from 18 January 2017 to 15 February 2017.

File: DA 2016/350

Site: Lot 300 & 301: DP 5290 and known as 8–7 Richardson Street, Merrylands

Proposed: 882A Review of Council refusal for demolition of existing structures; construction of a multi-dwelling housing development comprising 13 units over basement parking accommodating 18 car parking spaces and associated strata subdivision into 13 lots

Contact: Paul Anzellotti, 9840 9829

File: DA 2016/582

Site: Lot 45: DP 563 and known as 20 Sappleton Street, Westmead

Proposed: Demolition of existing structures; construction of a multi-dwelling housing development comprising 7 units above basement parking accommodating 12 car parking spaces

Contact: Jason Wang, 9840 9849

**Other**

The exhibition period for the following applications is from 18 January 2017 to 15 February 2017.

File: DA 2016/1493

Site: Lots 2 & 3: DP 5734 and known as 135–137 Pitt Street, Merrylands

Proposed: 599(13) Modification seeking installation of podium substation and 3.15m high firewall

Contact: Nigel Aikin, 9840 9838

File: DA 2016/173

Site: Lots 127 & 128: DP 15158 and known as 6–8 Anderson Street, Westmead

Proposed: 599(14) Modification seeking allocation of units under Affordable Rental Housing SEPP 2009 for an approved residential flat building

Contact: Lynda Marston, 9840 9623

File: DA 2016/351/2

Site: Lot 1: DP 306434 and known as 510 Great Western Highway; Lot 6: DP 663863 and known as 510 Great Western Highway; Lot 3: DP 14758; Pts 4 and 5: DP 654025 and known as 515–518 Great Western Highway; Lot 1: DP 1005024 and known as 520 Great Western Highway; Lot 6: DP 431923 and known as 523 Great Western Highway; Lot 1: DP 657035 and known as 528 Great Western Highway, Penrith Hill

Proposed: 599(14) Modification seeking to carry out works in 2 Stages. Stage 1 for shop-top housing and residential flat building development and Stage 2 for multi-dwelling housing development

Contact: Lynda Marston, 9840 9623

The exhibition period for the following application is from 18 January 2017 to 8 February 2017

File: DA 2016/565

Site: Lot 11: DP 311032 and known as 73 Hawkesbury Road, Westmead

Proposed: Demolition of existing structures; construction of a 2-storey boarding house comprising 28 units to be used as supportive accommodation and 2 in grade car parking spaces

Contact: Arleigh Mata, 9840 9622

The applications and plans for these proposals may be inspected at the Council Offices, Memorial Avenue, Merrylands between the hours of 8am and 4:30pm, Monday to Friday. However, should you wish to discuss the application with the responsible officer, they will be available between the hours of 8am to 5:00pm or 3:00pm to 4:30pm, Monday to Friday.

Any person who owns or occupies land and who contends that their enjoyment of the land will be detrimentally affected if the proposed development is carried out may lodge a submission in writing addressed to the General Manager on or before the close of the exhibition period. Please quote the relevant file number. Any submission made in regard to an application may be accessed by third parties under the Government Information (Public Access) Act 2009 and may be reproduced in whole or in part if Council reports on it in court proceedings.

In the event that Council approves of the application and in order to preserve the amenity of Holroyd and adjoining areas, which may affect neighbouring residents, the Council limits building operations to the hours of 7am to 6pm, Monday to Friday, 8am to 4pm Saturdays and no work on Sundays. Demolition works are limited to 7am to 6pm Monday to Friday only.

Should you be affected by building or development work outside the above hours please telephone Council on 9840 9840 and ask for the Environmental and Planning Services Department. Calls to this number after business hours are automatically directed to Council's paging service where you should ask the operator to pass your complaint on to one of Council's On-call Inspectors.

**Disclosure of Political Donations or Gifts**

If you have made a political donation or gift to or for the benefit of a political party, an elected member, group, candidate, local Councillor or Council employee, you may be required to make a formal disclosure pursuant to section 147 of the Environmental Planning and Assessment Act 1979 (EP & A Act). For more information on your obligations and to obtain a disclosure form if needed, please visit Council's website: [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

**Cumberland Council**  
16 Memorial Avenue  
PO Box 42  
Merrylands NSW 2160  
General Manager: Malcolm Ryan

T 9840 9840  
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Office hours 8am to 4:30pm, Monday to Friday. All correspondence should be addressed to the Interim General Manager. Ordinary Council Meetings occur on the first Wednesday of each month (except for January) commencing at 8am. The venue for Council Meetings are rotated between Auburn and Merrylands. For more information on Council Meetings, please call 9840 9734 or visit our website.

12 PARRAMATTA ADVERTISER, Wednesday, January 18, 2017
9840 9840-11

PO Box 205, Ettalong Beach NSW 2257 Phone: 02 4360 1346 Email: [hb@harrisbromly.com.au](mailto:hb@harrisbromly.com.au) Web: [www.harrisbromly.com.au](http://www.harrisbromly.com.au)

Notice posted in the Parramatta Advertiser on February 1 2017

## Cumberland Council Announcements

**Public Hearing – Planning Proposal**  
**Merrylands Station & McFarlane Street Precinct, Merrylands**



Proposed Civic Square

Cumberland Council has prepared a Planning Proposal to amend Holroyd Local Environmental Plan (LEP) 2013 for the Merrylands Station & McFarlane Street Precinct within the Merrylands City Centre.

In accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, Council will be conducting a Public Hearing in relation to this Planning Proposal.

The Public Hearing will be held on Wednesday, 8 February 2017, in the Holroyd Centre, 11–17 Miller Street, Merrylands, commencing at 6pm.

The Merrylands Station & McFarlane Street Precinct includes land in the core of the Merrylands City Centre bounded by McFarlane Street, Merrylands Road, Treves Street and the railway corridor.

The objective of the Planning Proposal is to provide greater flexibility in which to deliver the current floor space potential for developable sites within the Merrylands City Centre. The planning controls proposed to be amended are the maximum building height and the maximum floor space ratio (FSR). The Planning Proposal also includes a Land Reservation Acquisition Map and amendments to the land use zoning to facilitate the extension of Main Lane, road widening on McFarlane Street and the expansion of the new proposed Merrylands Square through to Merrylands Road. Design excellence provisions are also introduced to encourage new developments to contribute to the urban and public domain character.

In order to support the amendments proposed for Holroyd LEP 2013, amendments are also being proposed to Holroyd Development Control Plan (DCP) 2013 in the form of Precinct Development Controls that provide more detailed planning controls for the Merrylands Centre. All documentation in relation to the proposed amendments may be viewed on Council's website <http://www.cumberland.nsw.gov.au/strategicplanning/>.

If you require further information about this Planning Proposal, please contact Council's Strategic Planning section on 9840 9840 or visit the Council Administration Building at 15 Memorial Avenue, Merrylands between 8.30am and 4.30pm Monday to Friday to speak to an officer in person.

**Cumberland Council**  
 16 Memorial Avenue  
 PO Box 42  
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[www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)

Office hours 8am to 4.30pm, Monday to Friday. All correspondence should be addressed to the Interim General Manager. Ordinary Council Meetings occur on the first Wednesday of each month (except for January) commencing at 6pm. The venue for Council Meetings are rotated between Albury and Merrylands. For more information on Council Meetings, please call 9840 9733 or visit our website.

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Notice posted on Council's Facebook page on 6 February 2017



**Cumberland Council Sydney**

6 February at 17:12 · 🌐

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Cumberland Council has prepared a Planning Proposal to amend Holroyd Local Environmental Plan (LEP) 2013 for the Merrylands Station & McFarlane Street Precinct within the Merrylands City Centre. A Public Hearing in relation to this Planning Proposal will be held on Wednesday, 8 February 2017, in the Holroyd Centre, 11–17 Miller Street, Merrylands, commencing at 6pm. Click here for more information <http://bit.ly/2lep7yQ>



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Public Hearing – Planning Proposal HOME / HAVE YOUR SAY / PUBLIC HEARING – PLANNING PROPOSAL



**Merrylands Station & McFarlane Street Precinct, Merrylands**

Cumberland Council has prepared a Planning Proposal to amend Holroyd Local Environmental Plan (LEP) 2013 for the Merrylands Station & McFarlane Street Precinct within the Merrylands City Centre.

In accordance with the provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979, Council will be conducting a Public Hearing in relation to this Planning Proposal.

**The Public Hearing will be held on Wednesday, 8 February 2017, in the Holroyd Centre, 11–17 Miller Street, Merrylands, commencing at 6pm.**

**Attachment B – Public Hearing Presentation**

### Public Hearing

To seek an amendment to the Holroyd Local Environmental Plan 2013 (HLEP 2013) to amend planning controls for land within the Merrylands Station and McFarlane Street Precinct, Merrylands.

### Purpose

The purpose of the public hearing is to:

- present an overview of Council's Planning Proposal (PP) to amend Planning Controls for Merrylands Station and McFarlane Street Precincts, Merrylands [as resolved by Council's meeting of 1 March 2016 and 3 May 2016];
- receive comments, objections or support from the Community; and
- comply with statutory requirements of the *Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Regulation 2000.*

### Background

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    graph LR
      A[Planning Proposal lodged with the Department of Planning and Environment  
17 May 2016] --> B[The Department Issues Gateway Determination to proceed with PP  
15 August 2016]
      B --> C[Council exhibits PP as per Gateway Determination  
2 - 30 Nov 2016]
    
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### The site

The Planning Proposal applies to land located in the core of Merrylands bounded by McFarlane Street, Merrylands Road, Treva Street and Terminal Place. Left is the location of the subject precinct pre-gateway consultation.

After the pre-gateway consultations No. 244-252 Pitt Street (outlined in red) and Lot 1 Terminal Place, Merrylands (outlined in blue – Council owned site) were included in the subject precinct.

### The site

The total land area subject to the planning proposal.

### Site details

- Is located on the northern side of Merrylands Road.
- Part of the subject site is owned by Council.
- Is currently occupied by a mix of small businesses, cafes, restaurants and the McFarlane Street car park – directly opposite Stockland Mall and the Merrylands Bus Terminal site
- Is currently zoned B4 Mixed Use with maximum building height limits ranging from 41m-65m, and Floor Space ratio (FSR) ranging from 3:1 to 9:1.

### Planning Proposal to:

- Amend maximum building height limits ranging from 43-105m as per the Height of Buildings Map
- Amend Floor Space Ratios (FSR) ranging from 3:1 to 8.5:1 as per the Floor Space Ratio Map
- Amend land use from B4 Mixed Use to RE1 Public Recreation, reduce maximum building height to no height and reduce FSR to no FSR for Lots 18G, 1 & D Merrylands Road (DP 383945, DP 658197, & DP 344249 respectively) as per the Land Zoning Map and Land Reservation Acquisition Map.
- Amend land use zoning from B4 Mixed Use to SP2 Infrastructure (Local Road Widening) as per the Land Zoning Map and Land Reservation Acquisition Map.
- Introduce design excellence provisions into the HLEP2013



### Next steps

- Feedback is obtained from this Hearing.
- A report on the public hearing submitted to Council, will be made publicly available on Council's website as per requirements of the Local Government Act 1993.
- Report the revised Planning Proposal and supporting information for Council's adoption.
- Forward Council's adopted Planning Proposal to Department of Planning and Environment for making and final notification of the Plan.



### Next steps (after reclassification)

**When the Plan is notified (gazetted) by the Department:**

- The affected and surrounding landowners will be notified of the outcome.



### Comments and Questions

- Comments
- Questions



### Thank you

