



Planning &
Environment



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Mr Malcolm Ryan
Interim General Manager
Cumberland Council
PO Box 42
Merrylands NSW 2160

Our ref: 16/01723

Dear Mr Ryan

Planning Proposal for 246-264 Woodville Road, 2-4, 8-8A and 14-16 Lansdowne Street, and 19 Highland Street, Merrylands (PP_2016_PARRA_001_00)

I am writing regarding the request made by the former Parramatta City Council for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") in respect of the planning proposal to amend Parramatta Local Environmental Plan 2011 to rezone land at Woodville Road, Lansdowne Street and Highland Street, Merrylands.

The proposal seeks to rezone the subject land to B4 Mixed Use; increase the maximum height of buildings to 31m; increase the maximum floor space ratio to 2.25:1; and, exclude the wintergarden floor area from the FSR calculation for proposed units fronting Woodville Road.

Following the *Local Government (City of Parramatta and Cumberland Council) Proclamation 2016* on 12 May 2016, the subject land has been incorporated into the newly formed Cumberland Council Local Government Area. As the Gateway determination was made after the proclamation date, Cumberland Council is now responsible for taking this planning proposal forward in accordance with the attached determination.

As delegate of the Greater Sydney Commission, I have determined that the planning proposal should proceed subject to the conditions in the Gateway determination. I have also considered the nature of the planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make the plan given the significance of the proposal.

I have agreed that any inconsistency with Section 117 Direction 3.4 Integrating Land Use and Transport, 4.1 Acid Sulphate Soils and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions.

I appreciate the former Parramatta City Council's intent to revitalise the Woodville Road Corridor. Following an assessment of the matter, however, I have not agreed with the density for the site proposed by the former Parramatta City Council. The proposed maximum floor space ratio (FSR) of 2.25:1 is not supported owing to inconsistency with *A Plan for Growing Sydney* and limited access to high frequency public transport. Consequently, the proposed FSR controls have been reduced to a

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scale that is no greater than controls within the Merrylands and Guildford village centres.

I have also taken this opportunity to include other properties within the site area. The inclusion of these sites will allow for the orderly development of the precinct.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Commission may take action under s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

I recognise that Cumberland Council did not request a Gateway determination for this planning proposal. In these circumstances, Council's assistance in progressing this proposal is appreciated and, should the need arise, the Department remains available to support Council in this endeavour.

Should you have any queries in regard in this matter, please contact Mrs Catherine Van Laeren, Director of the Sydney Region West Office of the Department, on (02) 9860 1520.

Yours sincerely

 8 August 2016
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway Determination



Gateway Determination

Planning Proposal (Department Ref: PP_2016_PARRA_001_00) to amend Parramatta Local Environmental Plan 2011 to rezone land at 246-264 Woodville Road, 2-4, 8-8A and 14-16 Lansdowne Street and 19 Highland Street, Merrylands to B4 Mixed Use, increase the maximum height of buildings to 31m, increase the maximum floor space ratio to 2.25:1 and enable wintergardens within residential development fronting Woodville Road that exclude the wintergarden floor area from the FSR calculation.

I, the Deputy Secretary, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act* that an amendment to the *Parramatta Local Environmental Plan 2011* to rezone land at Woodville Road, Merrylands to B4 Mixed Use, increase the maximum height of buildings to 31m, increase the maximum floor space ratio to 2.25:1 and enable wintergardens within residential development fronting Woodville Road that exclude the wintergarden floor area from the FSR calculation proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - (a) include a full list of Lot and DP numbers;
 - (b) correct the table numbering on page 8 from Table 3 to Table 1;
 - (c) correct the Explanation of Provisions and Table 3 at page 16 to indicate that a site specific provision for the FSR calculation applies to wintergardens;
 - (d) remove comments on page 16 regarding s117 Direction 7.1 Implementation of a Plan for Growing Sydney;
 - (e) the Explanation of Provisions, proposed maps and any other relevant references within the document describing the proposal are to be amended to indicate a proposed maximum FSR of 2.0:1;
 - (f) include land at 244 Woodville Road and land at 6, 10 and 12 Lansdowne Street, Merrylands in the land to which the plan applies. These sites are to be zoned to B4 Mixed Use, with a maximum height of buildings of 31m and a maximum FSR of 2.0:1; and
 - (g) outline the proposed method to achieve an appropriate transition in height from the subject site to the land located to the west currently zoned R2 Low Density Residential fronting Lansdowne Street and Highland Street.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* (the Act) as follows:
 - (a) the planning proposal must be publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals identified in

section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Infrastructure 2012).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:

- Department of Education and Communities;
- Transport for NSW — Roads and Maritime Services;
- Transport for NSW — State Transit Authority of NSW, and
- City of Parramatta Council.

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

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

5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway Determination.

Dated *24th* day of *June* 2016.



Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Greater Sydney Commission