

Mr Merv Ismay
General Manager
Holroyd City Council
PO Box 42
Merrylands NSW 2160

15/09647

Dear Mr Ismay

I am writing in response to your Council's letter of 4 June 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for a planning proposal to amend *Holroyd Local Environmental Plan 2013* to reclassify land at Holroyd Gardens from community land to operational land to assist in extending Sheffield Street, Holroyd.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Council is reminded of its obligations for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department's practice note *PN09-003, Classification and reclassification of public land through a local environmental plan*.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan is to be finalised within 6 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 directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 Minister may take action under section 54(2)(d) of the *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Shane Nugent of this office to assist you. Mr Nugent can be contacted on (02) 9860 1173.

Yours sincerely

R Cumming
22/6/2015

Rachel Cumming
Director, Metropolitan Region (Parramatta)
Planning Services



Gateway Determination

Planning Proposal (Department Ref: PP_2015_HOLRO_003_00) to amend Holroyd Local Environmental Plan 2013 to reclassify land at Holroyd Gardens from community land to operational land.

I, the Director, Metropolitan Region (Parramatta), Planning Services, at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the *Holroyd Local Environmental Plan 2013*, to reclassify land at Holroyd Gardens from community land to operational land, should proceed subject to the following conditions:

1. Prior to community consultation, Council is to confirm that the property descriptions are 'Part of Lot' and not 'Part Lot' for the subject land and, if necessary, amend the planning proposal accordingly.
2. Prior to community consultation, Council is to confirm whether any interests currently apply to the land and amend the planning proposal to include this information.
3. Prior to finalisation of the proposal, Council is to prepare a Land Reclassification (Part Lots) Map showing the land to be reclassified, consistent with the Department's "Standard Technical Requirements for LEP Maps" section 7.3.11 and Appendix T. This map is to be included as part of the final planning proposal.
4. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act* as follows:
 - a) the planning proposal must be made 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 as identified in section 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
5. Consultation is required with the Office of Environment and Heritage (Heritage Branch) under section 56(2)(d) of the *Environmental Planning and Assessment Act*. That 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.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the *Environmental Planning and Assessment Act*. This does not

discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated this 22nd day of June, 2015



Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Holroyd City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_HOLRO_003_00	Planning Proposal to amend <i>Holroyd Local Environmental Plan 2013</i> to reclassify land at Holroyd Gardens from community land to operational land.

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated this 22nd day of June, 2015



Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Delegate of the Minister for Planning