

Holroyd Local Environmental Plan 2013 (Amendment No. 2) - Proposal to rezone land in 15 precincts from R2 - Low Density Residential to R3 - Medium Density Residential

Proposal Title :	Holroyd Local Environmental Plan 2013 (Amendment No. 2) - Proposal to rezone land in 15 precincts from R2 - Low Density Residential to R3 - Medium Density Residential		
Proposal Summary :	The proposal is to amend Holroyd Local Environmental Plan 2013 to rezone land in 15 precincts across Holroyd City from R2 - Low Density Residential to R3 - Medium Density Residential.		
PP Number :	PP_2014_HOLRO_001_00	Dop File No :	14/01216

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **DELEGATION OF PLAN-MAKING FUNCTION**

Holroyd City Council has not requested delegation of the plan-making function for this planning proposal.

As it is a major rezoning proposal for about 2500 additional dwellings in total, delegation to Council is not recommended.

RECOMMENDATION

It is recommended that the planning proposal should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal should be amended to include a list of permitted uses in the R3 zone in section 2.2 Explanation of Provisions.
2. In submitting the planning proposal for finalisation the Relevant Planning Authority is to be required to address the possible inconsistency of to planning proposal with Section 117 Direction 4.3 Flood Prone Land, and provide information that any inconsistency is justified as being of minor significance or is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.
3. Consultation is required with the following government agencies:
 - Essential Energy;
 - Department of Education and Communities;
 - Office of Environment and Heritage;
 - Family and Community Services - Housing NSW;
 - Transport for NSW;
 - Fire and Rescue NSW;
 - NSW Police Force:
 - Transport for NSW - Roads and Maritime Services;
 - State Emergency Service;
 - Sydney Water;
 - Telstra;
 - Adjoining LGAs.

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4. Community consultation for a period of 28 days.

5. The timeframe for finalisation of the planning proposal is 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal will provide opportunities for an additional 2500 dwellings in Holroyd, and will provide for a greater range of housing types and opportunities, particularly in locations close to public transport.

In the precincts where there are existing small lots the proposal is unlikely to greatly increase the dwelling potential. However by permitting attached dwellings it may lead to improved urban design outcomes.

Panel Recommendation

Recommendation Date : **06-Feb-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

1. Prior to public exhibition the planning proposal should be amended to include a list of permitted uses in the R3 Medium Density Residential zone under section 2.2 Explanation of Provisions.

2. Prior to submitting the planning proposal for finalisation council is required to address the inconsistency with Section 117 Direction 4.3 Flood Prone Land, and justify the inconsistency as being either of minor significance or in accordance with a floodplain risk management plan prepared in accordance with the Floodplain Development Manual 2005.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A 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 (Department of Planning & Infrastructure 2013).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Essential Energy
- Department of Education and Communities
- Office of Environment and Heritage
- Family and Community Services NSW
- Transport for NSW
- Fire and Rescue NSW
- Roads and Maritime Services
- State Emergency Services
- Sydney Water
- Telstra
- Adjoining LGA's

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.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

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

The Minister delegated his plan making powers to councils in October 2012. Due to the

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nature of the planning proposal being for a major rezoning an authorisation for council to exercise delegation should not been issued.

Signature:			
Printed Name:	JAMES MATTHEWS	Date:	19/2/14