

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

Proposal Details

Date Planning Proposal Received :	23-Jan-2014	LGA covered :	Holroyd
Region :	Sydney Region West	RPA :	Holroyd City Council
State Electorate :	FAIRFIELD GRANVILLE PARRAMATTA TOONGABBIE	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :
 Suburb : City : Postcode :
 Land Parcel : Fifteen precincts as shown on maps at attachment 1 of the planning proposal.

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Metro West Central subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	2,500
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :			
Have there been meetings or communications with registered lobbyists? : No			
If Yes, comment :			

Supporting notes

Internal Supporting Notes :	Planning proposal was originally received on 7/1/14. However additional information was sought from Council. A revised planning proposal was received on 23/1/14.
External Supporting Notes :	The 15 precincts proposed for rezoning were identified in a medium density housing review. They comprise: - 5 areas identified as potentially suitable for medium density housing during the public exhibition of the Holroyd LEP 2013. - 2 areas with significant concentrations of properties owned by NSW Housing and Land. - 8 areas of existing small lots where detached medium density dwellings are permitted as complying development under the NSW Housing Code.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :	The objective of the planning proposal is to amend planning controls applying to certain land to permit medium density attached housing. The intended outcomes are to: - increase the diversity of housing forms in the area; - provide opportunities for NSW Housing and Land to increase its housing stock in appropriate locations; and - permit attached dwellings where medium density development is already occurring on existing small lots as complying development under the NSW Housing Code.
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Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : The proposal is to rezone land in 15 precincts from R2 Low Density Residential to R3 Medium Density Residential, as shown in the land zoning maps included with the planning proposal.

The planning proposal does not identify what land uses will be permitted in the rezoned areas. It is necessary to refer to land use table in Holroyd LEP 2013 to fully understand the provisions of the planning proposal. Prior to public exhibition the planning proposal should be amended to show the uses which are permitted in the R3 zone.

It is also proposed to amend the floor space ratio maps to provide for a maximum floor space ratio of 0.7:1, the same as currently permitted in existing areas zoned R3 in Holroyd LEP 2013.

It is also proposed to amend the minimum lot size maps, as shown on the lot size maps included with the planning proposal. In seven areas the minimum lot size is proposed to be 900 square metres, the same as that applying in existing R3 zones. In the other eight areas the minimum lot size is proposed to be 200 square metres for most lots. These are areas of existing small lots.

No change to the maximum building height is proposed - the maximum height will remain as 9 metres.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

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

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6—Number of Storeys in a Building

SEPP No 19—Bushland in Urban Areas

SEPP No 22—Shops and Commercial Premises

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 33—Hazardous and Offensive Development

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Temporary Structures and Places of Public Entertainment) 2007

SEPP (Affordable Rental Housing) 2009

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e) List any other matters that need to be considered :

The planning proposal is consistent with Section 117 Direction 3.1 Residential Zones. It provides for increased residential density and broadens the choice of available housing.

The planning proposal is consistent with Section 117 Direction 3.4 Integrating Land Use and Transport. It rezones land for greater urban densities in locations that improve access to housing, jobs and services by walking, cycling and public transport.

The planning proposal states that it is consistent with Section 117 Direction 4.3 Flood Prone Land. It indicates that, while it does rezone some land which is within a flood planning area from R2 to R3, this is in areas where the existing small lots already permit significant additional development in accordance with the Housing Code. Therefore the proposal states that this rezoning will not permit a significant increase in development of the land, and is not inconsistent with the Direction.

The Department is of the view that the planning proposal may not be consistent with Direction 4.3 Flood Prone Land. The proposal shows it also applies to a number of properties which are proposed for rezoning and are subject to some flooding risk or are subject to flood studies currently in progress. Consequently the Relevant Planning Authority should be required to justify this inconsistency as being either in accordance with a floodplain risk management plan or of minor significance.

The planning proposal is not inconsistent with other Section 117 Directions. It is not inconsistent with any State Environmental Planning Policies.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

As noted above, the Department is of the view that the planning proposal may not be consistent with Direction 4.3 Flood Prone Land. The proposal shows that a number of properties which are proposed for rezoning are subject to some flooding risk or are subject to flood studies currently in progress. Consequently the Relevant Planning Authority should be required to justify this inconsistency as being either in accordance with a floodplain risk management plan or of minor significance.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal includes detailed large scale maps showing the proposed changes to the existing Holroyd LEP 2013 maps. A location map showing the location of each precinct is also included.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Consultation is proposed for a period of 28 days. The proposal includes a consultation plan.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

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Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Holroyd LEP 2013 commenced on 5 August 2013.

Assessment Criteria

Need for planning proposal : A planning proposal is the only way to achieve the objective of permitting medium density housing in the areas identified. The planning proposal implements the findings of Council's Medium Density Housing Review (see Attachment 4 of the planning proposal), which was undertaken as a result of submissions made during the public exhibition of the draft principal LEP.

Consistency with strategic planning framework : The planning proposal is consistent with the Draft Metropolitan Strategy for Sydney to 2031; in particular with Objective 5 to deliver new housing to meet Sydney's growth and Objective 6 to deliver a mix of well-designed housing that meets the needs of Sydney's population.

The planning proposal states that it is consistent Holroyd City Council's Community Strategic Plan. It arises from Council's Medium Density Housing Review, which was initiated in response to submissions during the public exhibition of the draft Holroyd Principal LEP.

Environmental social economic impacts : ENVIRONMENTAL

The land proposed for rezoning does not include any remnant native vegetation, riparian corridors or critical habitat. It is unlikely there will be any adverse impacts on threatened species, populations or ecological communities or their habitats.

Increased housing densities are likely to result in increased traffic, which may result in some detrimental impacts at the local level. However increased densities in locations convenient to services and public transport are likely to broadly reduce overall motor vehicle use and have a beneficial impact at the metropolitan level.

ECONOMIC

The planning proposal does not identify any significant economic impacts.

SOCIAL

While not identified in the planning proposal, the proposed rezoning is likely to have social impacts, both for residents of adjoining areas and residents in the rezoned area who do not wish to move or redevelop. Impacts may include loss of amenity due to the impact of nearby development, and a possible change in the composition of the population in the local area.

The small scale of the proposed medium density development is likely to minimise such impacts. Impacts such as loss of amenity can be addressed and ameliorated at the development application stage.

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Assessment Process

Proposal type : Precinct Community Consultation Period : 28 Days

Timeframe to make LEP : 12 months Delegation : DDG

Public Authority Consultation - 56(2) (d) : 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

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed ? Yes

If no, provide reasons :

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons : The scale of development, with 2500 additional dwellings spread across 15 precincts, is unlikely to result in the need for significant additional state infrastructure. Any such needs will be identified during agency consultation.

Documents

Document File Name	DocumentType Name	Is Public
Holroyd cover letter.pdf	Proposal Covering Letter	Yes
Holroyd planning proposal.pdf	Proposal	Yes
Holroyd land zoning maps.pdf	Map	Yes
Holroyd floor space ratio maps.pdf	Map	Yes
Holroyd lot size maps.pdf	Map	Yes
Holroyd planning proposal Attachment 3.pdf	Proposal	Yes
Holroyd planning proposal Attachment 4.pdf	Proposal	Yes
Holroyd planning proposal study areas.pdf	Map	Yes

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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.

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.

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Signature:



Printed Name:

T. DORAN

Date:

31/1/14