



Planning & Environment

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Our ref: 15/02883
Your ref: HC-23-08-18

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

Dear Mr Ismay

Planning proposal to amend Holroyd Local Environmental Plan 2013

I am writing in response to your Council's request of 7 November 2014, for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of a planning proposal to rezone the former Bonds Spinning Mill site at 190 to 220 Dunmore Street, Pendle Hill from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation.

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.

It is noted that the subject land is located within a flood planning area. Therefore, prior to the commencement of public exhibition, Council is to prepare a flood study to determine the impacts of flooding on any future development and update its consideration of consistency with S117 Direction 4.3 Flood Prone Land. Council is also to update consideration of the planning proposal with S117 Direction 3.1 Residential Zones in relation to servicing of the land for residential development and S117 Direction 7.1 Implementation of a Plan for Growing Sydney following the release of the Government Plan on 14 December 2014.

As delegate of the Secretary, I have also agreed under S117 Direction 6.2 Reserving Land for Public Purposes to the reservation of land for public purposes. No further approval is required in relation to this Local Planning Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 for the department to draft and finalise the LEP should be made 6 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 Minister may take action under section 54(2)(d) of the Act 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 Michael Druce of the Department's Metropolitan (Parramatta) office to assist you. Mr Druce can be contacted on (02) 9860 1544.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

23/02/2015



Gateway Determination

Planning proposal (Department Ref: PP_2015_HOLRO_003_00): to rezone the former Bonds Spinning Mill site at 190 to 220 Dunmore Street, Pendle Hill from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation.

I, the Deputy Secretary, 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* (the Act) that an amendment to the Holroyd Local Environmental Plan (LEP) 2013 to rezone the former Bonds Spinning Mill site at 190 to 220 Dunmore Street, Pendle Hill from IN2 Light Industrial to R4 High Density Residential, B2 Local Centre and RE1 Public Recreation should proceed subject to the following conditions:

1. Council is to undertake the following studies and/or reports where relevant and ensure the following information is placed on public exhibition with the planning proposal:
 - a) a Social Impact Assessment;
 - b) an updated Urban Design Report/Concept Masterplan that reflects a 12 storey maximum building height;
 - c) a revised traffic and transport report based on a dwelling yield of 1,300 dwellings;
 - d) a stormwater and flooding assessment;
 - e) a final version of the Conservation Management Plan that incorporates the addendum submitted to Council and recognises the State heritage significance of the site.
2. Prior to public exhibition, the planning proposal is to be revised as follows:
 - a) demonstrate that the subject land can be adequately serviced or that arrangements for servicing have been made in accordance with S117 Direction 3.1 Residential Zones;
 - b) satisfy S117 Direction 4.3 Flood Prone Land through the preparation of a flood study; and
 - c) update consistency with A Plan for Growing Sydney, released on 14 December 2014 and S117 Direction 7.1 Implementation of a Plan for Growing Sydney.
3. Prior to public exhibition the planning proposal should be amended as follows:
 - a) ensure that all draft maps clearly indicate the site boundaries; and
 - b) remove the words "and B2" from section 2.2 in relation to minimum lot sizes.
4. Council is to update the Phase 2 Environmental Site Assessment to demonstrate that the identified contamination on the site can be satisfactorily remediated to enable future residential use. Council is to subsequently update section 2.3.2 of the planning proposal to discuss consistency with SEPP 55 Remediation of Land, prior to public exhibition.

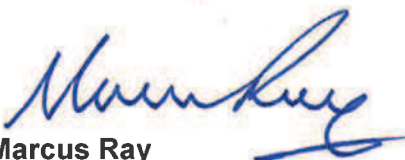
5. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
- a) the planning proposal must be publicly available for a minimum of **28 days**; and
 - b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals 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 Local Environmental Plans* (Department of Planning and Environment 2013).
6. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or
- Essential Energy;
 - Department of Education and Communities;
 - Office of Environment and Heritage;
 - Family and Community Services - Housing NSW;
 - Transport for NSW;
 - Transport for NSW - Roads and Maritime Services;
 - Sydney Water;
 - Telstra;
 - Adjoining LGAs.

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.

Council is to consult with the Office of Environment and Heritage prior to public exhibition on the heritage significance of buildings on the subject land and the Conservation Management Plan and Heritage Assessment. Council is to address and comments and include the response of the public agency with the exhibition material.

7. 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).
8. The timeframe for finalisation of the planning proposal is to be **18 months** from the week following the date of the Gateway determination.

Dated 23rd day of February 2015.



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning