

16/01689

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

Dear Mr Ismay

**Gateway Determination - Holroyd Local Environmental Plan 2013
(Amendment No.7) - Rezoning of land at 23-27 Lytton Street, Wentworthville**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), in respect of a planning proposal to rezone land at 23-27 Lytton Street, Wentworthville (Lot 1 DP 787784) from zone R2 Low Density Residential to zone R4 High Density Residential, increase the maximum Height of Buildings controls from 9 metres to 15 metres, and increase the maximum floor space ratio from 0.5: to 1.1.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I note that the land is currently zoned R2 Low Density Residential under *Holroyd Local Environmental Plan 2013*, and the planning proposal seeks to rezone the land to R4 High Density Residential to permit health services facilities on the site.

In view of the possible amenity issues associated with the introduction of this zone at this location, I have conditioned the determination so that Council is required to amend the planning proposal to consider the option of rezoning the site to zone SP2 Infrastructure (Health Services Facility), with the proposed maximum height of building and maximum floor space ratio controls, to achieve the intended outcome.

Plan making powers were delegated to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. 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 (LEP) is to be finalised within 9 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, action may be taken under section 54(2)(d) of the *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

If you have any questions regarding this matter, I have arranged for Mr Terry Doran, of the Sydney Region West Office, to assist you. Mr Doran may be contacted on (02) 9860 1579.

Yours sincerely



Catherine Van Laeren
Director Sydney Region West
Planning Services

29/02/2016

encl.: (1)



Gateway Determination

Planning Proposal (Department Ref: PP_2015_HOLRO_004_00) to rezone land at 23-27 Lytton Street, Wentworthville (Lot 1 DP 787784), from R2 Low Density Residential to R4 High Density Residential, increase the maximum height of buildings from 9 metres to 15 metres and increase the maximum floor space ratio from 0.5:1 to 1.1.

I, Director, Sydney Region West, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979*, that an amendment to the *Holroyd Local Environmental Plan 2013* should proceed, subject to the following conditions:

1. Prior to public consultation, Council is to modify the planning proposal to include:
 - (a) an assessment of the option to rezone the site to zone SP2 Infrastructure (Health Services Facilities) zone, with the proposed maximum height of building and floor space ratio controls, as this option would also permit health services facilities on the site;
 - (b) a statement of the reasons the R4 High Density Residential zone option is preferred; and
 - (c) an assessment of the impact of development permitted by the proposed R4 High Density Residential zoning, rather than the current development proposal for a health services facility.
2. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made available for 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 and Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*:
 - Ambulance Service of NSW
 - Transport for NSW - Roads and Maritime Services
 - Transport for NSW
 - NSW Health
 - Fire and Rescue NSW
 - Endeavour Energy
 - Sydney Water

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 Environmental Planning and Assessment Act 1979. 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 finalisation of the planning proposal is to be 9 months from the week following the date of the Gateway determination.

Dated 29 day of February 2016.



**Catherine Van Laeren
Director, Sydney Region West
Planning Services**

Delegate of the Greater Sydney Commission