

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

Our ref: PP\_2016\_HOLRO\_004\_00 (16/04365)

Dear Mr Ismay

### **Planning proposal to amend Holroyd Local Environmental Plan 2013**

I am writing in response to your Council's letter dated 14 March 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at 11-19 Centenary Road and 15 Wyreema Street, Merrylands, from zone R3 Medium Density Residential to zone R4 High Density Residential; increase the maximum building height from 11m to 15m; and, increase the FSR from 0.85:1 to 1.2:1.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 4.3 – Flood Prone Land is of minor significance. No further approval is required in relation to this Direction.

I note that ongoing monitoring of residual contamination is being undertaken in accordance with a Remediation Action Plan, and that a revised Remediation Action Plan has been provided to reflect the change of land use. I would appreciate it if Council would ensure the planning proposal complies with clause 6 of *State Environmental Planning Policy No. 55 – Remediation of Land*.

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 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 of Planning and Environment for administrative purposes.

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 Commission 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 Ms Tessa Parmeter of the Department's Sydney Region West Office to assist you. Ms Parmeter can be contacted on (02) 9860 1555.

Yours sincerely



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

Encl:  
Gateway Determination  
Written Authorisation to Exercise Delegation  
Attachment 5 – Delegated Plan Making Reporting Template

## Gateway Determination

**Planning proposal (Department Ref: PP\_2016\_HOLRO\_004\_00):** to rezone land at 11-19 Centenary Road and 15 Wyreema Street, Merrylands from zone R3 Medium Density Residential to zone R4 High Density Residential; increase the maximum building height from 11m to 15m; and, increase the FSR from 0.85:1 to 1.2:1.

I, the Director, Sydney Region West, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, 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 2013* (LEP) to rezone land at 11-19 Centenary Road and 15 Wyreema Street, Merrylands from zone R3 Medium Density Residential to zone R4 High Density Residential; increase the maximum building height from 11m to 15m; and, increase the FSR from 0.85:1 to 1.2:1, should proceed subject to the following conditions:

1. A revised land zoning map; height of buildings map and floor space ratio map, consistent with the Department's "Standard Technical Requirements for Spatial Data and Maps" is to be submitted to the Planning Portal prior to finalisation of the proposal.
2. Community consultation is required under sections 56(2)(c) and 57 of the 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 and Infrastructure 2013)*.
3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
  - Transport for NSW – Roads and Maritime Services
  - Sydney Water

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.
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 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).



5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 26 day of April 2016

**Catherine Van Laeren**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Greater Sydney**  
**Commission**