

**PLANNING PROPOSAL:
DRAFT AMENDMENT TO HOLROYD LOCAL ENVIRONMENTAL PLAN 1991 -
RECLASSIFICATION OF FORMER CHILDREN'S MUSEUM**

Background

Holroyd Local Environmental Plan 1991 currently zones the site 6(c) Special Purposes Open Space. This permits a wider variety of uses than the 6(a) Public Open Space zone, including child care centres, clubs, recreation facilities, refreshment rooms, retail plant nurseries and tourist facilities.

Under Draft Holroyd Local Environmental Plan 2011, the site of the Children's Museum is proposed to be zoned RE1 Public Recreation. In addition, the site is included in Schedule 1 Additional permitted uses. As a result, a wide variety of uses are proposed to be permissible on the land, including kiosks, indoor and outdoor recreation facilities, food and drink premises, function centres, business premises and office premises.

The building is not well-suited to indoor recreation facilities and in order for Council to commercially lease the building and its immediate curtilage, a reclassification from community land to operational land is required.

Given that Draft Holroyd Local Environmental Plan 2011 will not be made by the Minister for Planning for some months (mid 2012), a reclassification is proposed through an amendment to Holroyd Local Environmental Plan 1991.

Affected Area

Detailed surveys have been made of the site. A lease area of 4047.4m² has been identified, including space for additional car parking. This forms less than 4.3% of the Holroyd Gardens parklands. A copy of the Identification Survey of the land proposed for reclassification and lease is included is attached.

Director-General's Requirements under Section 55(3) of the Act

The following are matters listed for consideration in the Department of Planning & Infrastructure's "Guide for preparing planning proposals", which forms the Director-General's requirements under Section 55(3) of the Act.

Objective:

To reclassify as operational certain land in the northwest corner of Holroyd Gardens to permit the lease and use of an existing but disused community building for a restaurant, function centre or other commercial purpose.

Proposed Planning Provision:

Insertion in Schedule 5 – Classification or Reclassification of Public Land as Operational Land – of Holroyd Local Environmental Plan 1991 of the following:

“Part of Lot 1001 DP 1037793, being part of Holroyd Gardens, Holroyd, as shown edged heavy black on the map marked Holroyd Local Environmental Plan 1991 (Amendment No. 54)”.

Justification:

The proposed reclassification will permit a commercial lease of an existing, disused building for a use permissible under the proposed zoning under Draft Holroyd Local Environmental Plan 2011. Commercial use of the existing building will provide Council and the community with a return on an existing but disused asset, rather than an ongoing liability for maintenance. Income received from the lease will also allow Council to recoup expenditure to improve access to the building for persons with disabilities.

The proposed area for reclassification does not serve any appreciable recreational function but could compliment the park by providing a use which serves the community and provides passive surveillance of the park.

Need for Planning Proposal:

Is the planning proposal a result of a strategic study or report?

The proposed reclassification arises from Council’s strategy of minimising its costs and reusing under-utilised assets.

Is the planning proposal the best means of achieving the objectives or intended outcomes?

Unless the subject land is reclassified, the range of potential uses is limited. This will not allow Council the opportunity to reasonably maximise the return to the community from the existing disused asset. Further, there is a need to ensure adequate income is derived from the asset in order to recoup the costs of works required to update the building and improve access. Reclassification of the subject land is required to allow its lease to any private business, ensuring sufficient income to recoup costs and provide a return to the community.

Is there a net community benefit?

Yes – reclassification of the land will result in a net benefit to the community by ensuring that a return is made on an under-utilised Council asset and the costs for upgrading the building will be met, through a potential use which provides a service to the community and improves public safety in the park through passive surveillance.

Relationship to strategic planning framework:

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The proposal is not inconsistent with the objectives and actions included in part F Parks, Public Places and Culture of the Draft West Central Sub-regional Strategy 2007 and Part F Parks and Public Places of the Sydney Metropolitan Strategy (A City of Cities) 2005.

Is the planning proposal consistent with Council’s Community Strategic Plan?

The proposal is consistent with strategy G2.4 of the Living Holroyd Community Strategic Plan 2011: “Ensure Council efficiently manages its infrastructure and assets.”

Is the planning proposal consistent with applicable state environmental planning policies?

There are no applicable SEPPs.

Is the planning proposal consistent with applicable Ministerial s117 Directions?

There are no applicable s117 Directions.

Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The subject land was previously used for community purposes and is part of an existing park located on the site of a former landfill with introduced park plantings. Accordingly, the proposal will not result in any adverse impacts upon any threatened species or ecological communities, or their habitats.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

How has the planning proposal adequately addressed any social and economic effects?

Likely environmental, social and economic effects are expected to be limited. There would be no or negligible increases in traffic, parking demand and noise compared with the previous museum use. These will be considered and mitigated through future development consent conditions for any proposed use of the existing building. Potential uses of the existing building are likely to have minor but positive social and economic effects.

State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The site is connected to all necessary services.

What are the views of State and Commonwealth public authorities consulted?

Council will consider the views of those public authorities identified in the gateway determination.

Community Consultation

It is proposed that the LEP amendment will be publicly notified through a local newspaper and Council’s website and exhibited at Council’s Administration Centre in Merrylands for 28 days. After the conclusion of the exhibition period, a public hearing will be held, in accordance with section 68 of the EP&A Act and sections 29 and 47G of the LG Act, as Holroyd LEP 1991 is not a Standard Instrument Order instrument. Notice of the public hearing will be made through a local newspaper and Council’s website 21 days prior to the date of the hearing.