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Mr Merv Ismay
General Manager
Holyrood City Council
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Our ref: PP_2014_HOLRO_002_00 (14/10696)
Your ref: HC-23-02-38

Attention: Mr Michael Rogers

Dear Mr Ismay,

Planning proposal to amend Holroyd Local Environmental Plan 2013

I am writing in response to your Council's letter dated 16 June 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal to amend various provisions in Holroyd Local Environmental Plan 2013.

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.

I am also of the view that any technical inconsistency of the planning proposal with S117 Directions 1.1 Business and Industrial Zones is of a minor significance. No further approval is required in relation to this Direction.

The Minister delegated his plan making powers 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 is to be finalised within 6 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 Planning and Infrastructure for administrative purposes.

The State Government is committed to reducing the time taken to complete Local Environmental Plans 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 EP&A 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 Shane Nugent of this office to assist you. Mr Nugent can be contacted on (02) 9860 1173.

Yours sincerely,

RT Cumming 17/10/14

**Rachel Cumming
Director
Parramatta Metropolitan Office
Planning Services**

Gateway Determination

Planning Proposal (Department Ref: PP_2014_HOLRO_002_00) to amend various provisions in Holroyd Local Environmental Plan 2013.

I, the Director, Parramatta Metropolitan Office, at Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act 1979 that an amendment to the Holroyd Local Environmental Plan 2013 to amend various provisions of that plan should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be amended, as follows:
 - a) within the table (pages 5 – 8 of the proposal), delete references to: State Environmental Planning Policy No 1 and State Environmental Planning Policy No. 60 (as these instruments no longer apply to the land subject to Holroyd Local Environmental Plan 2013);
 - b) further, amend the table to include the Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchments, and address appropriately within the planning proposal; and
 - c) replace the draft clause 4.1A (page 16) of the proposal with an explanation of the intention of the clause to permit subdivision of the approved dual occupancy or multi-dwelling developments, as this item would be subject to legal drafting and may be altered;
 - d) clarify within the explanation of provisions (page 3) of the proposal:
 - whether item 3 is to include an amendment to item names, as well as, an amendment to the suburb;
 - for item 6, whether other maps, in addition to zoning maps, are proposed to be altered; and
 - in respect of item 9, clarify whether this item is proposed to only apply to B2 and B4 zones.
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 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 (Planning & Infrastructure 2013)*.
3. Consultation is required with the Office of Environment and Heritage (Heritage Branch) under section 56(2)(d) of the EP&A Act. The Heritage Branch 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 EP&A 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 **6 months** from the week following the date of the Gateway determination.

Dated 17th day of October 2014.



Rachel Cumming
Director
Parramatta Metropolitan Office
Planning Services

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Holroyd City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_HOLRO_002_00	Planning proposal to amend various provisions in Holroyd Local Environmental Plan 2013.

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated *17th October* 2014

RT Cumming
Rachel Cumming
Director
Parramatta Delivery Office
Planning Services