

Planning Proposal - 92, 94 and 96 Victoria Street, Werrington RZ16/0003

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Outcome	<i>We plan for our future growth</i>
Strategy	<i>Facilitate quality development that encourages a range of housing types, employment, recreation and lifestyle opportunities</i>
Service Activity	<i>Plan for and facilitate delivery of release areas and urban renewal in the City</i>

Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.

Executive Summary

This report provides the results of the review of Rezoning Application RZ16/0003 for 92, 94, and 96 Victoria Street, Werrington (Lots 6A, 6B, and 7A of DP 26950 respectively). The application seeks to amend the zoning and other relevant controls applicable to the site (Heights of Buildings and Minimum Lot Size) to allow for high density residential development. This amendment will be achieved through the revision of the applicable maps contained within Penrith LEP 2010.

The rezoning application is considered to have sufficient merit for Council to consider the sponsor of a Planning Proposal that delivers outcomes proposed in the rezoning application. The sponsor and submission of a Planning Proposal to the Department of Planning and Environment's Gateway Process will allow Council to undertake community consultation on the Planning Proposal, consider submissions received in response to such an exhibition, and determine whether or not to amend the planning controls.

Background

On 9 June 2016, Council received a Rezoning Application for 92, 94 and 96 Victoria Street, Werrington. The subject lots have a combined area of approximately 4,219m² and are located adjacent to Werrington Train Station, its associated car park, and the neighbourhood shops.

Penrith Local Environmental Plan 2010 (LEP 2010) zones the subject site *R3 Medium Density Residential* with a corresponding Building Height Limit of 8.5m ('I'), and a Minimum Lot Size of 400sqm ('F'). The site is immediately adjacent to *R4 High Density Residential* zoning to the north and east.

The Rezoning Application

Rezoning Application RZ16/0003 (the Application) has been jointly submitted by the owners of the individual lots, with Mr Andrew George Lillas, owner of 94 Victoria Street, acting as the nominated contact person.

The Application seeks the amendment of LEP 2010 to rezone the sites from *R3 Medium Density Residential* to *R4 High Density Residential*. The application also seeks to amend the existing Building Height Limit from 8.5m to 15m, in line with high density residential development.

The application is supported by recent Traffic and Acoustic reports.

Review of the Application

The justification and rationale presented in the Planning Proposal are generally supported. The Subject Site is located adjacent to land zoned *R4 High Density Residential* and is in close proximity to public transportation links (Werrington Train Station and 2 bus routes), shops and other services. The supporting Traffic Report advises that the existing road network has the capacity to accommodate the additional traffic generated by high density residential development. The supporting Acoustic Report confirms that measures can be implemented at the DA stage to comply with acoustic and vibration controls.

The Planning Proposal as submitted seeks amendments to the Zoning and Building Height control for the site. Upon review of the Application, an amendment to the Minimum Lot Size has been included in the proposal in order to correspond to lot sizes for high density residential development.

Next Steps

The Application has sufficient merit that a Planning Proposal delivering the requested amendments to LEP 2010 should be sponsored for submission to the Department of Planning and Environment's (the Department) Gateway Process.

This will allow Council, subject to any Gateway Determination issued by the Department, to:

1. Undertake community consultation on the Planning Proposal (public exhibition of 14 days);
2. Consider the community's submissions on the Planning Proposal; and
3. Determine whether or not to amend LEP 2010 to deliver the requested (or similar) outcome.

A draft Planning Proposal is provided as Attachment 4.

To expedite any amendment of LEP 2010, it is also recommended that Council request the Minister for Planning to delegate his plan making authority to Council.

RECOMMENDATION

That:

1. The information contained in the report on Planning Proposal - 92, 94 and 96 Victoria Street, Werrington be received
2. The Planning Proposal provided as Attachment 4 be sponsored for submission to the Department of Planning and Environment's Gateway Process.
3. The Minister be requested to delegate his authority for Council to finalise and make the proposed amendment to Penrith Local Environmental Plan 2010.
4. Consultation with New South Wales Government Agencies be undertaken in accordance with any Gateway Determination issued by the Department of Planning and Environment.

5. The Planning Proposal be placed on public exhibition in accordance with any Gateway Determination issued by the Department of Planning and Environment.
6. A report be presented to Council on the submissions received during the public exhibition.

ATTACHMENTS/APPENDICES

There are no attachments for this report.