

FACT SHEET
Rezoning Applications



What is a rezoning?

The Randwick Local Environmental Plan 2012 (RLEP) provides the main statutory framework for planning and development in Randwick City. The RLEP identifies land for specific purposes through land use zones, and the extent that a parcel of land can be developed via development standards. It also contains provisions to conserve Randwick City's heritage and protect sensitive land.

A rezoning is a change to the zone of a parcel of land. This can increase or decrease the range of permissible uses for a site or change the development standards that are applicable. Land can only be rezoned through a formal amendment to the RLEP.

Can I rezone my land?

Applications to rezone individual parcels of land (spot rezonings) are generally not encouraged and will only be considered under the following circumstances:

- The rezoning proposal is consistent with State and Local Government planning directions and has positive benefits in terms of housing supply/ housing affordability, or employment;
- The subject land cannot be reasonably developed or used under the existing zoning;
- Development of the land under the current zone would not be in the public interest.

All rezoning proposals are assessed on merit having regard to the matters identified above and the individual circumstances of the particular site or location.

What is required for lodging an application?

Prior to lodging an application to rezone land, proponents should discuss their proposal with a member of our Strategic Planning Department.

Your application should contain at a minimum:

- Signed Rezoning Application form
- Cover letter and 4 copies of the Planning Report
- Four copies of concept plans
- Owners consent
- Property description (Lot and DP number and identified on a map)
- Survey or certificate of title
- Required fees
- Political Donations and Gifts Disclosure Statement if relevant (available on Council's website); and
- Electronic copy of the entire application

What should be addressed in the Planning Report?

The Planning Report should be prepared by someone with experience and expertise in the field of planning and development such as a qualified planning

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consultant. The following Department of Planning and Infrastructure guidelines must be considered:

- A Guide to Preparing Local Environmental Plans
- A Guide to Preparing Planning Proposals

These documents are available on the Department of Planning and Infrastructure website www.planning.nsw.gov.au

To enable Council to properly consider your rezoning request, the Planning Report must address the following matters at a minimum:

- A brief description of the land to which the rezoning application applies including existing zoning, existing/previous land uses, built form and character.
- A brief description of the locational and regional context including zoning, land uses, built form, and proximity to transport, centres, social infrastructure, and open space.
- Mapping information and photographs (including aerial photographs) to describe the land, its locality and the relationship with surrounding land uses;
- A concise outline of the rezoning proposal, including changes required to existing zoning and/or development controls (e.g. height, floor space ratio etc.).
- Adequate justification for the proposed rezoning including:
 - Consistency with State, Regional and Local Planning planning/policy framework, public interest and studies*
 - Compliance with s117 Ministerial Directions*
 - Compatibility with surrounding zoning, land use patterns, built form and character
 - Implications of not proceeding with the rezoning
 - Justification of the proposal in line with Parts 1, 2 and 3 of *A Guide to Preparing Planning Proposals**
- An identification of the key environmental issues of the land including:
 - Soils and geological capability
 - Biophysical environment, including natural vegetation and threatened species
 - Water cycle of the land and in the locality
 - Natural hazards that may exist on the land
 - Cultural environment, including information on Aboriginal and European heritage; and
 - Social and community issues including housing, employment and economic environment.

* For further information, please refer to:

- Council's website for local planning instruments www.randwick.nsw.gov.au
- NSW Department of Planning website www.planning.nsw.gov.au for information on State and Regional policies, 117 directions and the documents, 'A Guide to Preparing Planning Proposals' and "A Guide to Preparing Local Environmental Plans".

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How is an amendment to the RLEP Made?

Once a rezoning application is lodged, it is reviewed by Council officers. If supported, Council will prepare a Planning Proposal which is the first step in making an amendment to the RLEP. A Planning Proposal can also be prepared by the rezoning proponent.

The Planning Proposal explains the intended effect of, and justification for making an amendment to the RLEP, and includes the following information:

- A statement of objectives and intended outcomes of the proposal
- An explanation of the provisions that are to be included in the proposal
- A justification of the objectives and outcomes, including the process of how these are to be implemented
- Maps containing the appropriate details, including land use zones, development standards, heritage areas and flood prone areas where applicable
- Details of the community consultation that will be undertaken; and
- Project timelines.

The following summary outlines the steps involved in making an amendment to the RLEP:

- Rezoning application lodged.
- Preliminary review of application by Council officers.
- The Council resolves to prepare a Planning Proposal.
- Planning Proposal referred to the Department of Planning and Infrastructure requesting Minister's Gateway Determination to proceed to exhibition.
- Planning Proposal and any studies are prepared and exhibited.
- Submissions assessed/reported to Council.
- The Council resolves to submit the Planning Proposal to the Minister to make the amendment to the RLEP.

Owner's consent

An application must be accompanied by the written consent of all property owners of the land proposed to be rezoned.

What are the fees?

The fee for processing a rezoning application will vary depending on the nature of the proposal. Fees for the preparation of a Planning Proposal are charged in stages and are non-refundable. For full details see Council's Fees and Charges Policy, or contact Council's Strategic Planning Department.