

# **Planning Proposals (Rezoning) Fact Sheet**

## 1. What is a Planning Proposal (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 formal amendment to the RLEP known as a Planning Proposal. This can change the land use zone, increase or decrease the range of permissible uses for a site or change the development standards that are applicable for a parcel of land.

## 2. 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.

Prior to lodging an application to rezone land, proponents should discuss their proposal with a member of our Strategic Planning Department. A meeting can be arranged by submitting a Pre-Planning Proposal Meeting Form.

After meeting with Strategic Planning staff and preparing the relevant documentation including the planning report please complete and lodge a Planning Proposal Application Form.

## 3. 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 consultant. The following Department of Planning and Environment 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 Environment website [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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

- 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

- 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.
  - 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:

For further information, please refer to:

- Council's website for local planning instruments [[www.randwick.nsw.gov.au/planning-and-building/planning/local-environmental-plan-lep](http://www.randwick.nsw.gov.au/planning-and-building/planning/local-environmental-plan-lep)]
- NSW Department of Planning website [[www.planning.nsw.gov.au](http://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".

## 4. How is an amendment to the RLEP made?

Once a rezoning application is submitted, it is reviewed by Council officers to determine if the application is minor, major or complex and whether any additional information is required. A letter will be sent to the applicant identifying the fees payable and additional information required prior to formal lodgement. If required, the additional information is to be provided before fees are paid and the application is considered formally lodged.

If the rezoning application is 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

1. Rezoning application lodged.
2. Preliminary review of application by Council officers.
3. The Council resolves to prepare a Planning Proposal.
4. Planning Proposal referred to the Department of Planning and Environment requesting Minister's Gateway Determination to proceed to exhibition.
5. Planning Proposal and any studies are prepared and exhibited.
6. Submissions assessed/reported to Council.
7. The Council resolves to submit the Planning Proposal to the Minister to make the amendment to the RLEP.
8. The Minister determines whether to make an amendment to the RLEP in accordance with the Planning Proposal.
9. The amendment to the RLEP is formally made upon gazettal.

## 5. Owner's consent

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

## 6. What are the fees?

The fee for processing a rezoning application will vary depending on the nature of the proposal as outlined in the Planning Proposal Application Form.