

To permit a child care centre at Lot 3 DP 735083, 5 Craft Close, Toormina

Proposal Title : **To permit a child care centre at Lot 3 DP 735083, 5 Craft Close, Toormina**

Proposal Summary : **To permit a child care centre at Lot 3 DP 735083, 5 Craft Close, Toormina, as an additional permitted use**

PP Number : **PP_2016_COFFS_005_00**

Dop File No : **16/16165**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 2.2 Coastal Protection**
- 2.3 Heritage Conservation**
- 3.4 Integrating Land Use and Transport**
- 3.5 Development Near Licensed Aerodromes**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.3 Site Specific Provisions**

Additional Information :

It is recommended that the planning proposal should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal be updated to clearly identify the subject site on all diagrams, and be supported by the following additional site investigations:

- a) contaminated lands assessment; and**
- b) land use conflict risk assessment.**

2. Community consultation is required under sections 56(2)(c) and 57 of the Act 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 (Department of Planning and Environment 2016).**

3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service 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 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 12 months from the week following the date of the Gateway determination.

6. The Secretary's delegate agree to the proposal's inconsistency with S117 Direction 4.3

Flood Prone Land.

7. The Secretary's delegate note to the proposal's unresolved consistency with S117 Direction 4.4 Planning for Bushfire Protection.

8. That an authorisation is issued to Council to exercise delegation to make this plan.

Supporting Reasons :

The reasons for the recommendation are as follows;

- 1. The proposal is consistent with the strategic planning framework and the inconsistencies are considered to be of minor significance.**
- 2. The land is relatively unconstrained and is considered generally suitable to permit the ability to have a child care centre in addition to the other permitted industrial-based uses and zone objectives.**
- 3. The separate Development Application process will debate the particular merits of the use and its relationship with surrounding land uses.**

Panel Recommendation

Recommendation Date : 23-Dec-2016

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The proposal is considered to be a matter of local significance that can be appropriately considered by the Director Regions, Northern.

Gateway Determination

Decision Date : 23-Dec-2016

Gateway Determination : Passed with Conditions

Decision made by : Regional Director, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 12 months

Gateway

Determination :

- 1. Prior to community consultation, the planning proposal is to be updated to clearly identify the subject site on all diagrams, and completion of the following additional site investigations:**
 - a) contaminated lands assessment; and**
 - b) land use conflict risk assessment.**
- 2. Community consultation is required under sections 56(2)(c) and 57 of the Act 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 (Department of Planning and Environment 2016).**
- 3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service 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 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 12 months from the week following the date of the Gateway determination.**

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Signature:



Printed Name:

Craig Diss

Date:

23/12/16

