

Glenn Hornal - RE: Planning Proposal - Reeves Street, Somersby Rezoning and Lot Averaging Provisions| PP_2014_GOSFO_001_00

From: Annie Medlicott <Annie.Medlicott@gosford.nsw.gov.au>
To: Glenn Hornal <Glenn.Hornal@planning.nsw.gov.au>
Date: 26/02/2014 4:11 PM
Subject: RE: Planning Proposal - Reeves Street, Somersby Rezoning and Lot Averaging Provisions| PP_2014_GOSFO_001_00

Hi Glenn

I would suggest then that the Gateway list something along the lines of the Council's resolution for the applicant to prepare a DCP. "Studies as necessary to inform the preparation of a Development Control Plan for the southern precinct (comprising Lot 3 DP 261507 HN 239 Debenham Road North, Lot 4 DP 261507 HN 45 Tallara Road and Lot 2051 DP 559231 HN 252 Debenham Road South, Somersby) identifying suitable building/development envelopes to accommodate dwellings, bushfire radiation zones, effluent disposal areas, access and the like to demonstrate a sustainable outcome and that effects on threatened species can managed. The DCP is also to specify areas suitable for the preparation of Property Vegetation Management Plans to ensure the long term improvement and protection of parts of the land. The DCP is to be to the satisfaction of Council."

In relation to the mapping component, I concur that the Gateway be requested to include the unmade road reservation of Kowara Road.

Kind regards

Annie

From: Glenn Hornal [mailto:Glenn.Hornal@planning.nsw.gov.au]
Sent: Wednesday, 26 February 2014 4:34 PM
To: Annie Medlicott
Subject: RE: Planning Proposal - Reeves Street, Somersby Rezoning and Lot Averaging Provisions| PP_2014_GOSFO_001_00

Hi Annie,

Studies/Investigation List

I refer to page 14 of *A Guide to preparing planning proposals*, dated Oct 2012, which states: "If it is necessary to prepare information or undertake investigations to address an identified matter, the scope of these should be identified in the planning proposal while the actual information/investigation may be undertaken following the initial Gateway determination where appropriate".

A simple list of studies would be sufficient so the LEP Panel can consider the appropriateness of the information required when considering the proposal. The Gateway will then confirm the need for the

information and the scope of the matters to be addressed.

Kowara Road

I acknowledge the road is a consequential to the zoning, however during PC drafting clause 3 of the amending LEP will identify the land applicable and will generally list the lots. If the road is not identified in the planning proposal there is a risk it will not be included in the amending LEP and will retain the current RU2 zoning and minimum lot sizes under the Gosford LEP 2014. To avoid legal/drafting issues later the Gateway can condition the inclusion of this part of Kowara Road.

regards

Glenn

Glenn Hornal

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>>> Annie Medlicott <Annie.Medlicott@gosford.nsw.gov.au> 25/02/2014 3:13 pm >>>

Good afternoon Glenn

This proposal raises the issues of what information is required at what stage to progress a proposal – ie what matters should be resolved at the rezoning stage, (pre or post Gateway) or at the DA stage, or conditional upon development consent. It is also noted that in this instance the PP as it relates to the southern precinct is rezoning the land from the previous 7(b) zone/current RU2 to E2 however will allow subdivision for “environmental lifestyle” lots, and hence creates development potential. So what level of information and at what stage it is required to support the erection of dwellings is a conundrum and Council would be guided by the Gateway.

Although Council can suggest what studies it may consider necessary, it is also the role of the Gateway to determine what it considers to be required to support a rezoning. In this instance, the applicant had lodged quite extensive information to support the concept and Council did not specifically canvass exactly what studies were considered necessary at the Gateway Stage.

It is also acknowledged that the final yield/lot potential in the southern precinct will be dependent upon the applicant preparing a DCP as per Part C of the Council's resolution:

- C Upon consultation with government agencies, the applicant be requested to prepare a DCP for the southern precinct (comprising Lot 3 DP 261507 HN 239 Debenham Road North, Lot 4 DP 261507 HN 45 Tallara Road and Lot 2051 DP 559231 HN 252 Debenham Road South, Somersby) identifying suitable building/development envelopes to accommodate dwellings, bushfire radiation zones, effluent disposal areas, access and the like to demonstrate a sustainable outcome and that effects on threatened species can managed. The DCP is also to specify areas suitable for the preparation of Property Vegetation Management Plans to ensure the long term improvement and protection of parts of the land. The DCP is to be to the satisfaction of Council.

There would also be the need for further investigations in relation to the northern precinct, however these may be more appropriately dealt with at the DA stage, rather than as part of the rezoning or through the preparation of a DCP. The DCP is considered necessary as part of the rezoning, as the DCP will determine dwelling yields, which will form the basis for either a Minimum Lot Size map or listing in Schedule 1 as to the number of dwellings that can be erected in this precinct.

The inclusion of the unformed part of Kowara Road (in the southern precinct) in the E2 zone is consistent with SI mapping in LEP 2014, in that minor, local roads are absorbed into surrounding zones. Hence, the zoning of the road is consequential to the zoning of the land and does not need to be specifically referenced as part of the Planning Proposal.

Kind regards

Annie

From: Glenn Hornal [<mailto:Glenn.Hornal@planning.nsw.gov.au>]
Sent: Friday, 21 February 2014 1:53 PM
To: Annie Medlicott
Subject: Planning Proposal - Reeves Street, Somersby Rezoning and Lot Averaging Provisions| PP_2014_GOSFO_001_00

Annie,

Just a couple of points of clarification with this proposal.

1. Could you provide a list of studies, investigations or information that Council identifies should to be undertaken for the planning proposal.
2. The planning proposal appears to include the unformed part of Kowara Road which separates Lot 3 DP261507 and Lot 2051 DP 559231 in the southern precinct. I note the objectives clarify which lots are applicable but there is no mention or reference to Kowara Road. The maps provided do however include the road in the rezoning and lot sizes maps.

Could you clarify Council's position in regard to the road and its inclusion in the planning proposal.

regards

Glenn

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