
PLANNING PROPOSAL

GOSFORD CITY COUNCIL

ANIMAL BOARDING OR TRAINING ESTABLISHMENTS IN THE 7(C2) ZONE

This Planning Proposal has been drafted in accordance with Section 55 of the *Environmental Planning and Assessment Act, 1979* and the Department of Planning and Infrastructure's (DoP&I's) *A Guide to Preparing Planning Proposals*.

A gateway determination under Section 56 of the Environmental Planning and Assessment Act is requested from the DoP&I.

Part 1 Objectives or Intended Outcomes

s.55(2)(a) A statement of the objectives or intended outcomes of the proposed instrument.

The objective/intended outcome of the Planning Proposal is to facilitate the permissibility of "animal boarding or training establishments" in Zone No 7(c2) Conservation and Scenic Protection (Scenic Protection - Rural Small Holdings) under Interim Development Order (IDO) No. 122 - Gosford.

Under IDO No 122, the definition of "animal establishment" excludes the training/breeding/boarding/keeping of horses. The use is permitted in the 7(c2) zone.

Animal establishment means a building or place used for the breeding, boarding, training or keeping of animals (exclusive of horses) for commercial purposes, but does not include a building or place elsewhere defined in this Order.

There is a separate definition which incorporates the training/breeding/boarding of horses, and that is a "horse establishment". The use is prohibited in the 7(c2) zone.

Horse establishment means a building or place used for the breeding, boarding or training of horses for commercial purposes and may include instruction of riders and recreational horse riding.

The DoP&I has advised that land uses chosen to be included in planning instruments should align with uses defined in the Standard Instrument LEP. In the Standard Instrument LEP there is no distinction between establishments that permit horses and those that don't. The relevant definition is "animal boarding or training establishment" which allows breeding/boarding/training/keeping/caring of animals for commercial purposes and includes any associated riding school.

Animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

When the Draft Gosford LEP 2009 was exhibited in 2010 it showed the 7(c2) zoned land as being the equivalent zone E3 Environmental Management. Under the proposed E3 zone a horse riding school would be a use permitted with consent. However, Council resolved on 31/5/11 to request that the DoPI defer from the Draft Gosford LEP 2009 when made, those areas currently zoned 7(a) and 7(c2) located east of the F3 Freeway for a period of five (5) years. If the DoPI acquiesces to the deferral then the 7(c2) zoned land would prohibit horse riding schools for another five (5) years.

The insertion of a site specific 'enabling clause' for an "animal boarding or training establishment" and the necessary inclusion of the Standard Instrument definition of the use in IDO No 122 is not a strategic outcome. As this definition is required to be inserted in IDO No 122, a more strategic approach would be to include this use as permissible in the whole 7(c2) zone on the basis that Council has already resolved to do so in the equivalent E3 zone.

It is noted that an "animal boarding or training establishment" is a combination of the existing definitions in the IDO of "animal establishment" and "horse establishment". It is not considered feasible to delete the existing definitions and make the consequential amendments to each of the zones in the land use table when all the zones, except 7(a) and 7(c2), will be superseded when the Gosford LEP 2009 comes into effect later this year.

Part 2 Explanation of Provisions

s.55(2)(b) An explanation of the provisions that are to be included in the proposed instrument.

The objectives/intended outcomes are to be achieved by amending IDO No 122 to include "animal boarding or training establishment" (from the Standard Instrument LEP) as a new definition and as a permissible development in the 7(c2) zone.

The likely wording of the site specific provisions is set out below.

1 Subject Land

This plan applies to land zoned 7(c2) Conservation and Scenic Protection (Scenic Protection - Rural Small Holdings) under *Interim Development Order No. 122 - Gosford*.

Explanation: The provision describes the environmental planning instrument being amended and the land that is affected.

2 Objective

The objective of the plan is to permit with development consent from Council "animal boarding or training establishments" on land zoned 7(c2) Conservation and Scenic Protection (Scenic Protection - Rural Small Holdings).

Explanation: This provision states the objectives of the planning instrument as it applies to the affected land.

3 Amendment to Interim Development Order No. 122 - Gosford

Interim Development Order No 122 - Gosford is amended as set out below:

Clause 3(1)

- (a) insert after the definition of "**Agriculture**" the following definition from the Standard Instrument:

"Animal boarding or training establishment" means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

Table to Clause 5

- (b) In **Zone No. 7(c2) Conservation and Scenic Protection (Scenic Protection - Rural Small Holdings)** under the heading "development that needs consent":
- (i) omit "animal establishments"; and
 - (ii) insert instead "animal boarding or training establishments"

Clause 93

- (c) Omit from Column 1 and 2 of the Table, the following item:

Lot 1, D.P. 788848, Bula Place, Bensville and Lot 11, DP 790903, Picketts Valley Road, Picketts Valley, as shown edged heavy black on the map marked "Gosford Local Environmental Plan No. 334" deposited in the office of the Council.	Horseriding school, with no provision for overnight accommodation for riders.
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Explanation: This Planning Proposal LEP provision allows for "animal boarding or training establishments" to be a permissible use in the 7(c2) zone where "animal establishments" are currently permissible. The enabling clause in Clause 93 would therefore become obsolete.

s.55(2)(d) If maps are to be adopted by the proposed instrument, such as maps for proposed land use zones, heritage areas, flood prone land – a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument.

No maps will apply to the insertion of the new definition into IDO No 122 and inclusion of "animal boarding or training establishment" as a permissible use in the 7(c2) land use table.

Part 3 Justification

s55(2)(c) The justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117).

Section A Need for the Planning Proposal

1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal did not arise as a result of any strategic study or report. It is seeking to expedite the permissibility of a land use in the 7(c2) zone that has been identified as a permitted use in the equivalent E3 zone under the Draft Gosford LEP 2009, which is currently before DoPI to be made.

2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the objectives/intended outcomes of permitting an "animal boarding or training establishment" in the 7(c2) zone.

3 Is there a net community benefit?

The assessment provided in **Appendix A** demonstrates that the Planning Proposal will produce a net community benefit.

Section B Relationship to strategic planning framework

4 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Central Coast Regional Strategy

The Central Coast Regional Strategy (CCRS) applies to the subject land. The Planning Proposal is not explicitly inconsistent with the outcomes or actions of the regional strategy. An individual land use such as an "animal boarding or training establishment" is unable to be specifically planned for in a document such as a regional strategy.

The only additional activity included in the definition of "animal boarding or training establishment" that is currently not permitted in the 7(c2) zone is that relating to the boarding and training of horses, including riding schools.

Broadly speaking, a horse riding school could be considered a tourist activity. If so, the following Action could be applicable:

6.21 Councils and the NSW Government are to ensure that development pressure of tourist activities are managed to minimise loss of natural resources, potential for land use conflict and impact on the environment.

The Planning Proposal relates to land within the environmental buffer between urban areas and conservation areas. There is no activity occurring in this buffer area regarding the winning of natural resources. The lot sizes in the 7(c2) zone are generally between 1 ha and 2 ha in area which is sufficient to conduct a horse riding school with minimal affect on adjoining residents or the environment. However residents are able to comment on the layout of the site when the detailed plans are submitted with any subsequent development application. The Planning Proposal is consistent with the CCRS.

5 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Community Strategic Plan

The *Community Strategic Plan – Gosford 2025* applies to the subject land. The Planning Proposal is not explicitly inconsistent with the strategies outlined in the

Community Strategic Plan. A single land use such as an "animal boarding or training establishment" is unable to be specifically accounted for in a document such as this.

The only additional activity included in the definition of "animal boarding or training establishment" that is currently not permitted in the 7(c2) zone is that relating to the boarding and training of horses, including riding schools.

Broadly speaking, a horse riding school could be considered a tourist activity and be beneficial to well-being. If so, the following strategies would be applicable and compliant:

- A3.2 Provide services and activities to support a balanced lifestyle
- C1.4 Promote tourism in the region

The Planning Proposal provides an opportunity for a small-scale tourism venue and also provides horse riding training which has health benefits for young people and those with disabilities.

Biodiversity Strategy

The Planning Proposal will not result in any further removal of trees. The retention of vegetated areas on a specific site would be considered with any future development application to ensure the proposal is consistent with the aims and objectives of Council's Biodiversity Strategy.

Objectives of 7(c2) Zone

The objectives of Zone No. 7(c2) are to allow for non-residential uses only where those uses are:

- (i) *compatible with rural-residential development and unlikely to create an unreasonable demand on public services or substantially reduce existing levels of service;*
- (ii) *unlikely to adversely affect the aesthetic and scenic value of the land and its setting; and*
- (iii) *unlikely to interfere unreasonably with the amenity of adjoining properties.*

These objectives relate to the non-residential land uses permitted in the 7(c2) zone such as the proposed "animal boarding or training establishment". This rural land use is an outdoor activity which will not affect the built environment where satisfactorily managed, thus not affecting the general scenic quality or amenity of the zone. No additional demand will be created on public services. The Planning Proposal is considered compliant with the above objectives.

6 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The following assessment is provided of the relationship of the planning proposal to relevant State Environmental Planning Policies. SEPPs are only discussed where applicable. The Planning Proposal is consistent with all other SEPPs or they are not applicable.

(i) SEPP No 19 - Bushland in Urban Areas

When preparing a draft local environmental plan for any land to which SEPP No 19 applies, the council shall:

- (a) *have regard to the general and specific aims of the Policy, and*
- (b) *give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland.*

The objectives of the SEPP relate to protecting rare and endangered flora and fauna, protecting habitat, protecting vegetation links and retaining the unique visual identity of the landscape.

The only additional activity included in the definition of "animal boarding or training establishment" that is currently not permitted in the 7(c2) zone is that relating to the boarding and training of horses, including riding schools. Therefore no additional potential impact is likely to occur to threatened species, populations, ecological communities or their habitats on a zone-wide basis. The Planning Proposal is consistent with the aims and objectives of SEPP 19.

(ii) SEPP No 55 - Remediation of Land

SEPP 55 lists some activities that may cause contamination, one of which is agricultural or horticultural activities. Council's aerial photographs indicate that some areas now zoned 7(c2) were used for market gardens and orchards into the 1960s. These areas have since been developed for rural-residential housing. The Planning Proposal does not intend to change the zone of any land but to include an additional activity within the existing 7(c2) zone; that being the boarding and training of horses, including riding schools. It is therefore consistent with SEPP 55.

(iii) SEPP No 71 - Coastal Protection

The "coastal zone" is generally 1km landward of any coastal water, bay, estuary, coastal lake or lagoon and the boundary is to be shown to the nearest cadastral boundary. Some of the 7(c2) zone is identified as being in the coastal zone.

Under SEPP 71 most of the "matters for consideration" relate to land that directly fronts coastal water bodies, thus are not applicable to land in the 7(c2) zone. The only applicable matter for consideration is:

the suitability of development given its type, location and design and its relationship with the surrounding area.

The exhibited Draft Gosford LEP 2009 indicates that an "animal boarding or training establishment" is a permitted use in the proposed E3 zone. Given the satisfactory management of the location and design of development, the use is considered suitable in the existing 7(c2) zone. Therefore the Planning Proposal is consistent with SEPP 71.

7 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following assessment is provided concerning the consistency of the Planning Proposal with relevant Section 117 Directions applying to planning proposals lodged after 1st September 2009. Section 117 Directions are only discussed where

applicable. The Planning Proposal is consistent, with all other Section 117 Directions or they are not applicable.

(i) Direction 2.1 - Environmental Protection Zones

Clause (4) of the Direction requires:

A Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.

A Planning Proposal that applies to land within an environmental protection zone or land otherwise identified for environmental protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

The planning proposal is for the inclusion of "animal boarding or training establishment" as a permissible use within the 7(c2) zone. The only additional activity included in this definition that is currently not permitted in the 7(c2) zone is that relating to the boarding and training of horses, including riding schools. This land use, where satisfactorily managed, will not have an adverse impact on the fauna species and mature vegetation that occurs within the 7(c2) zone. The Planning Proposal is therefore consistent with this Direction.

(ii) Direction 2.2 Coastal Protection

Clause (4) of the Direction requires:

A planning proposal must include provisions that give effect to and are consistent with:

- (a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and*
- (b) the Coastal Design Guidelines 2003, and*
- (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).*

The NSW Coastal Policy sets out the following goals relevant to the Planning Proposal:

- Protecting, rehabilitating and improving the natural environment of the coastal zone.
- Protecting and enhancing the aesthetic qualities of the coastal zone.
- Providing for ecologically sustainable human settlement in the coastal zone.

The Planning Proposal will enable 7(c2) zoned land to be used as an "animal boarding or training establishment". The only additional activity included in this definition that is currently not permitted in the 7(c2) zone is that relating to the boarding and training of horses, including riding schools. This land use, where satisfactorily managed, will not have an adverse impact on the natural environment, aesthetic qualities or human settlement in the coastal zone. The Planning Proposal is consistent with the Coastal Policy.

The Coastal Design Guidelines relate to design of dwellings and location of new settlements and is relevant to this Planning Proposal. The following objectives are relevant to this Planning Proposal:

- To protect and enhance the cultural, ecological and visual characteristics of a locality.
- To limit coastal sprawl by establishing separation and greenbelts between settlements.

The Planning Proposal for an "animal boarding or training establishment" will retain the character of the 7(c2) zone, being an area of rural small holdings. The proposed land use is non-urban in nature and therefore does not represent an erosion of the greenbelt between urban settlements. As such the Planning Proposal is consistent with the Coastal Design Guidelines.

The NSW Coastline Management Manual provides "information to assist present and potential users and occupiers of the coastline to understand the nature of coastline hazards and the options available for their management." "Hazards peculiar to the coastline must be recognised in the design of new developments, in the planning of changed land use patterns and in the protection of present developments at risk." As the 7(c2) zone as a whole are not subject to immediate coastal processes it is not relevant to the Planning Proposal.

(iii) Direction 4.4 Planning for Bushfire Protection

The Direction requires the following to be addressed.

- (4) *In the preparation of a Planning Proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made.*
- (5) *A Planning Proposal must:*
 - (a) *have regard to Planning for Bushfire Protection 2006,*
 - (b) *introduce controls that avoid placing inappropriate developments in hazardous areas, and*
 - (c) *ensure that bushfire hazard reduction is not prohibited within the APZ.*
- (6) *A Planning Proposal must, where development is proposed, comply with the following provisions, as appropriate:*
 - (a) *provide an Asset Protection Zone (APZ) incorporating at a minimum:*
 - (i) *an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and*
 - (ii) *an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,*
 - (b) *for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the Planning Proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,*

- (c) *contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,*
- (d) *contain provisions for adequate water supply for firefighting purposes,*
- (e) *minimise the perimeter of the area of land interfacing the hazard which may be developed,*
- (f) *introduce controls on the placement of combustible materials in the Inner Protection Area.*

The 7(c2) zone as a whole is affected by Bushfire Category 1 and 2 and Buffer. The use does not relate to any buildings to be used for human habitation. The Rural Fire Service has already commented on the Draft Gosford LEP 2009 which contained the use of "animal boarding or training establishment" within the equivalent zone of 7(c2) and raised no objection. However, the RFS is required to comment on all Planning Proposals.

(iv) Direction 5.1 Implementation of Regional Strategies:

Clause (4) of the Direction requires Planning Proposals to be consistent with a Regional Strategy released by the Minister for Planning and Infrastructure.

The Planning Proposal is considered to be consistent with the objectives and actions contained in the Central Coast Regional Strategy 2006 – 2031 as indicated in the response to Question 4 above.

(v) Direction 6.1 – Approval and Referral Requirements:

Clause (4) of the Direction requires a Planning Proposal to minimise the inclusion of concurrence/consultation provisions and not identify development as designated development.

This Planning Proposal is consistent with this direction as no such inclusions, or designation is proposed.

(vi) Direction 6.3 – Site Specific Provisions:

The Planning Proposal is consistent with this Direction as

- (4) *A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*
 - (a) *allow that land use to be carried out in the zone the land is situated on, or*
 - (b) *rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*
 - (c) *allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*
- (5) *A planning proposal must not contain or refer to drawings that show details of the development proposal.*

The Planning Proposal seeks to include an additional use to be carried out in the 7(c2) zone. Should the Planning Proposal be supported, it would be consistent with this Direction. The Planning Proposal does not contain or refer to drawings/plans that show details of any proposed development.

Section C Environmental, social and economic impact

8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The 7(c2) zoned area consists of land that has primarily been cleared of native vegetation, still contains existing remnant forest-scale trees or contains vegetation regrowth. Stands of mature trees provide potential foraging habitat for threatened and non threatened fauna species and also play a role in the scenic protection of the local area. Given the satisfactory retention and protection of existing treed areas in the zone, the planning proposal will not lead to a significant impact on threatened species, populations, ecological communities or their habitats.

9 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Scenic Quality

The Planning Proposal will retain the broad pattern of land use within the 7(c2) zoned land, will retain the scenic quality of the area and will result in the continued dominance of landscape features over the built environment.

10 How has the Planning Proposal adequately addressed any social and economic effects?

The permissibility of "animal boarding or training establishments" within the 7(c2) zone will offer benefits to the health and well-being of participants of any future riding schools. Such benefits will include the exercise for young people who want to ride for recreational or sporting reasons, therapy for those with disabilities who may benefit from the interaction with horses, and the provision of an activity for tourists to enjoy.

Section D State and Commonwealth interests

11 Is there adequate public infrastructure for the Planning Proposal?

Water and Sewer

Only some of the 7(c2) zoned land is serviced by Council's existing water reticulation system and sewer reticulation system. Requirements for waste disposal will be assessed as part of any future development application.

Traffic

The potential traffic generation as a result of the Planning Proposal will not impact on the overall road network.

12 What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the Planning Proposal?

No consultations have yet been undertaken with State and Commonwealth agencies as the gateway determination has not yet been issued.

Part 4 Community Consultation that is to be undertaken

S55(2)(e) Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

Subject to Gateway support community consultation will involve an exhibition period of 14 or 28 days. The community will be notified of the commencement of the exhibition period via a notice in the local newspaper and on the web-site of Gosford City Council. It is considered that all the owners of land in the 7(c2) need not be notified of this Planning Proposal because it reflects the Draft Gosford LEP 2009, as exhibited extensively for 8 weeks and they were notified of the Draft LEP exhibition at that time. As the application for the Planning Proposal was originally submitted for a particular site, it is considered reasonable that a letter will be sent to the adjoining landowners of Lot 2 DP 1035504 Empire Bay Drive, Empire Bay.

The written notice will:

- give a brief description of the objectives or intended outcomes of the planning proposal;
- indicate the land affected by the planning proposal;
- state where and when the planning proposal can be inspected;
- give the name and address of Gosford City Council for receipt of submissions; and
- indicate the last date for submissions.

During the exhibition period, the following material will be made available for inspection:

- the planning proposal, in the form approved for community consultation by the Director-General of Planning;
- the gateway determination; and
- any studies relied upon by the planning proposal.

Conclusion

Under the Draft Gosford LEP 2009 adopted by Council on 31/5/12 the use; "animal boarding or training establishment" is proposed to be permitted with consent in the E3 zone which is the equivalent zone to 7(c2). This definition includes the boarding and training of all animals, including horses and as a consequence, riding schools. Under the existing 7(c2) zone such horse related uses are currently prohibited.

As the 7(a) and 7(c2) zones east of the F3 Freeway have been resolved by Council to be deferred from the Draft Gosford LEP for a period of five (5) years (yet to be decided upon by DoPI), the applicant submitted a Planning Proposal for an enabling clause to permit a horse riding school on Lot 2 DP 1035504 Empire Bay Drive, Empire Bay. Such an enabling clause is not considered to be a strategic planning approach. Instead, it is proposed to include the use "animal boarding or training establishment" as a permitted use in the whole 7(c2) zone, which is consistent with the intention of the Draft Gosford LEP 2009.

The Planning Proposal to add an additional land use to the 7(c2) zone is not inconsistent with Regional and local strategies or State directions or policies. The additional land use, where

satisfactorily managed, will not have an adverse impact on the environment or amenity of the 7(c2) zone.

APPENDIX A

Net Community Benefit

Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800 metres of a transit node)?

Yes. The Central Coast Regional Strategy does not identify the 7(c2) zone as an area of urban land release, hence, the existing non-urban zoning is to be retained. The proposed "animal boarding or training establishment" is compatible with the rural small holding land use.

Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?

No. The 7(c2) zoned land is not located in a regional city or strategic centre or corridor identified within the Central Coast Regional Strategy.

Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?

No. The Planning Proposal will not create a precedent and alter the expectations of other landholders in the area as an "animal boarding or training establishment" will be permitted on all land zoned 7(c2).

Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?

Yes. The proposal to permit an "animal boarding or training establishment" in the 7(c2) zone is not a spot rezoning but will generally permit with consent a horse riding school within the zone. It will not result in the fragmentation of the scenic protection - rural small holding zone nor alter the character of the locality.

Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?

Yes. The Planning Proposal will facilitate an employment opportunity for the future operators of "animal boarding or training establishments". No loss of employment land will result from the Planning Proposal.

Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?

No. The LEP will not affect the supply of residential land.

Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?

Yes. Public roads provide access to the 7(c2) zoned areas of Gosford. Public transport, in the form of buses, is only available on a regular basis to those 7(c2) properties fronting State and regional roads such as Empire Bay Drive, Scenic Highway and Avoca Drive. There is inadequate pedestrian access on these roads and on the numerous local roads servicing the remainder of the land zoned 7(c2).

Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?

No. By its very nature a "animal boarding or training establishments" cannot be located in an urban area. Consequently there will be no increase in the distances required to be travelled by employees or customers.

Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?

No. The proposal will not impact on Government infrastructure or services.

Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?

No. The Government has not identified the subject land as being in need of protection.

Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve? Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?

Yes. The Planning Proposal will be generally compatible with surrounding land uses as it will retain the broad land use pattern and amenity of the 7(c2) zoned land and result in the continued dominance of landscape features over the built environment. Such a development will be in character with the locality and will not adversely impact on the scenic quality of the area.

If a stand-alone proposal and not a centre; does the proposal have the potential to develop into a centre in the future?

No. The Planning Proposal is for a specific non-urban land use in a rural small holdings zone which will not enable the land to be developed into a centre in the future.

What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?

The Planning Proposal will permit an "animal boarding or training establishment" within the 7(c2) zone. This use includes a horse riding school which will benefit the health and well-being of the participants by providing exercise for young people who want to ride for recreational or sporting reasons, and be of therapeutic value to those with disabilities and who may benefit from the interaction with horses. The implications of not proceeding with this Planning Proposal will delay the use from operating on the subject site for approximately five (5) years, until the E3 Environmental Management zone comes into effect.