

SOMERSBY, Lot 41 DP 1046841, Wisemans Ferry & Peats Ridge Roads

Proposal Title :	SOMERSBY, Lot 41 DP 1046841, Wisemans Ferry & Peats Ridge Roads		
Proposal Summary :	Rezone Lot 1 DP 1046841, Wisemans Ferry & Peats Ridge Roads, Somersby from RU1 to SP2, E2 and E3, include lot averaging provisions for the E3 area and appropriate development standards for whole site as required.		
PP Number :	PP_2014_GOSFO_014_00	Dop File No :	13/12082

Planning Team Recommendation

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

- S.117 directions :
- 1.2 Rural Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 1.5 Rural Lands
 - 2.1 Environment Protection Zones
 - 2.3 Heritage Conservation
 - 3.5 Development Near Licensed Aerodromes
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
 - 6.1 Approval and Referral Requirements
 - 6.3 Site Specific Provisions

Additional Information : The Planning Proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal as follows:
 - the explanation of provisions should be updated to refer to any development standards being amended (eg. height standard is mapped for other E2 land)
 - prepare indicative development standard maps (lot size and others if required)
 - address SREP 20 which applies to the south west of the site.
2. Once consultation with public authorities has been undertaken, consistency with the following S117 Directions is to be considered:
 - 1.2 Rural Zones
 - 1.3 Mining, Petroleum Production and Extractive Industries
 - 2.3 Heritage Conservation
 - 4.2 Mine Subsidence and Unstable Land
 - 4.4 Planning for Bushfire Protection
 - 5.1 Implementation of Regional Strategies
3. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. Council is to prepare an initial site contamination investigation to demonstrate that the site is suitable for rezoning to the proposed zones. This investigation is to be included as part of the public exhibition material.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A 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 (Planning and Infrastructure 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:

- Office of Environment and Heritage (S117 Direction 2.3 Heritage Conservation & s.34A)
- NSW Department of Primary Industries – Agriculture (S117 Directions 1.2 Rural Zones and 5.1 Regional Strategies)
- NSW Trade and Investment – Mineral and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries and 5.1 Regional Strategies)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection);
- Darkinjung Local Aboriginal Land Council (S117 Direction 2.3 Heritage Conservation)
- Guringai Tribal Link (S117 Direction 2.3 Heritage Conservation)
- Wyong Shire Council (near boundary and in drinking water catchment)

Each public authority 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.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

8. Council should be given delegation to make the plan.

Supporting Reasons : *

Panel Recommendation

Recommendation Date : 07-Aug-2014

Gateway Recommendation : Passed with Conditions

Panel

Recommendation :

The Planning Proposal should proceed subject to the following conditions:

1. Council is to update the planning proposal, prior to exhibition, as follows:
 - the explanation of provisions should be updated to refer to any development standards being amended (for example height standard is mapped for other E2 land)
 - indicative development standard maps (lot size and others, if required) are to be prepared.
2. Council is to update the planning proposal to include sufficient additional information, if required, and update its consideration of the following S117 Directions and State policies once it has undertaken consultation with relevant public authorities:
 - Direction 1.2 Rural Zones
 - Direction 1.3 Mining, Petroleum Production and Extractive Industries
 - Direction 2.3 Heritage Conservation
 - Direction 4.2 Mine Subsidence and Unstable Land
 - Direction 4.4 Planning for Bushfire Protection
 - Direction 5.1 Implementation of Regional Strategies
 - Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (No. 2- 1997).
3. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy No. 55 – Remediation of Land. Council is to prepare an initial site contamination investigation to demonstrate that the site is suitable for rezoning to the proposed zones. This investigation is to be included as part of the public exhibition material.
4. 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 (Planning and Infrastructure 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:

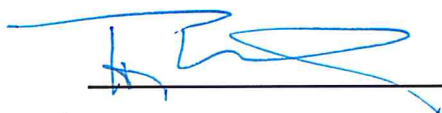
- Office of Environment and Heritage (S117 Direction 2.3 Heritage Conservation & s.34A),
- NSW Department of Primary Industries – Agriculture (S117 Directions 1.2 Rural Zones and 5.1 Regional Strategies),
- NSW Trade and Investment – Mineral and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries and 5.1 Regional Strategies),
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection),
- Darkinjung Local Aboriginal Land Council,
- Guringai Tribal Link (S117 Direction 2.3 Heritage Conservation), and
- Wyong Shire Council (near boundary and in drinking water catchment)

Each public authority 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.

6. 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).

7. The timeframe for completing the Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

TROY LOVEDAY

Date:

18/08/2014

