

Gloucester LEP 2010 – Bucketts Way South

Proposal Title : **Gloucester LEP 2010 – Bucketts Way South**

Proposal Summary : **The planning proposal seeks to rezone land from E3 Environmental Management to R2 Low Density Residential zone and impose a 1,000m2 minimum lot size control.**

PP Number : **PP_2014_GLOUC_001_00**

Dop File No : **13/18857**

Proposal Details

Date Planning
Proposal Received : **24-Jun-2014**

LGA covered : **Gloucester**

Region : **Hunter**

RPA : **Gloucester Shire Council**

State Electorate : **UPPER HUNTER**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **4571 Bucketts Way South**

Suburb : **Gloucester**

City :

Postcode :

Land Parcel : **Lot 2 DP 568113**

Street : **4571 Bucketts Way South**

Suburb : **Gloucester**

City :

Postcode :

Land Parcel : **Lots 11 & 12 DP 193003**

DoP Planning Officer Contact Details

Contact Name : **Paul Maher**

Contact Number : **0249042719**

Contact Email : **paul.maher@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Rebecca Connor**

Contact Number : **0265385231**

Contact Email : **rebecca.connor@gloucester.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A
MDP Number :		Date of Release :	
Area of Release (Ha) :	26.00	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	140
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government
Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes : **As there are a number of unresolved policy issues in relation to the PP, it is recommended that Council submits the updated PP to the Regional Office, consistent with the Gateway Determination and prior to exhibition to ensure consistency.**

THE SITE

The site is situated on the main road 'Bucketts Way', the southern approach to Gloucester approximately 2.5 km from the town centre. The site is on the western, undeveloped side of the main road, on undulating, rural land that extends from Bucketts Way westward towards the Bucketts Mountain Range. The western boundary of the site lies downslope along a natural waterway The Billabong, with flood prone land between the waterway and proposed development site.

The total area of the site is 97.18 hectares, 26.47 hectares of which is proposed to be developed for residential purposes yielding 140 lots.

SITE HISTORY

The site was the subject of a development consent issued by Council 25 March 2003 for a 100 unit retirement village, permissible under the former provisions of Gloucester LEP 2000. Council advises that physical commencement of this consent was discussed in 2008 however physical commencement was not confirmed by Council.

DATE RECEIVED

A Planning Proposal was originally submitted by Council in November 2013, however a subsequent meeting with Council on 5 December and request for additional information resulted in the PP being resubmitted on 8 April 2014. Further clarification regarding the

resubmitted PP and existing development consent was requested and received 24 June 2014. It is this date at which the proposal is considered adequate for submission to the Gateway.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The intention is allow development of part of the site to R2 Low Density Residential to facilitate 140 lots, a neighbourhood shop and recreation area.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions provides the parameters to amend Gloucester LEP 2010. The PP will amend the following maps in relation to the subject site;**

- **LZN map from E3 Environmental Management to R2 Low Density Residential zone**
- **LSZ map to reduce the MLS control from 100 ha to 1,000 m2**

The PP and accompanying documentation (Landscape Character and Visual Assessment) suggests that there will be a buffer zone along the boundary of the site adjoining Bucketts Way (eastern boundary). This is not referred to in the explanation of provisions. The PP suggests that an 88B instrument is the most appropriate management tool for the protection of this buffer.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

**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
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.2 Mine Subsidence and Unstable Land
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 55—Remediation of Land
SEPP (Infrastructure) 2007
SEPP (Mining, Petroleum Production and Extractive Industries)
2007
SEPP (Rural Lands) 2008**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Council should map the outcomes of the site specific flood study to demonstrate the boundary of flood liable land on the site.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has proposed a 28 day consultation period this is considered appropriate as the proposal is inconsistent with Council's strategy and of significance strategically.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **PROJECT TIMELINE**

Council's timeline nominates the Planning Proposal's completion within 12 months which includes 5 months for completion of the necessary studies. There is a considerable amount of additional work required to be undertaken prior to exhibition and Council has limited resources to progress this work. A longer timeframe of 18 months is considered more appropriate.

DELEGATION AUTHORISATION

Council has accepted plan-making delegation for PPs generally. Council sought to exercise its delegations for this matter at its Ordinary Meeting of 21 August 2013. It is evident through assessment of the proposal that there are a number of aspects left outstanding, it is recommended that authorisation to exercise its delegations not be granted in this instance.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : A number of matters are outstanding however the PP is considered adequate to proceed to gateway. It is recommended that Council be required to submit the revised PP to the regional office prior to exhibition to ensure these matters are adequately addressed.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Gloucester Standard Instrument was published 11 June 2010.

Assessment Criteria

Need for planning proposal : The PP indicates that the land is required to fill a gap in the housing market. The case for the PP is described in the consistency with the strategic planning framework below.

Council indicates that a development approval exists for a retirement village on the site. However development for purposes other than this seniors housing requires an amendment to the LEP. A planning proposal is considered the most effective and timely method available to achieve the objectives and intended outcomes of the proposal.

Consistency with strategic planning framework :

Upper Hunter Strategic Regional Land Use Plan(UHSRLUP)

There is no regional strategy that applies to the Gloucester LGA however the UHSRLUP is the most relevant regional land use plan.

The site is broadly identified in the UHSRLUP as having a high potential for coal seam gas, coal resource exploration potential and potentially an existing exploration licence for new open cut and/or underground mine. The site is not mapped as strategic agricultural land. These mining uses would become prohibited under the proposed rezoning. Consultation with the Department of Primary Industries (Minerals) will clarify the currency of this potential and clarify the extent of boundaries at a finer scale.

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

SEPP (Rural Lands) – the subject site is not in a rural zone and therefore the SEPP does not apply apart from the requirements under S117 Direction 1.5 Rural Lands which are discussed below.

SEPP 55 – Council indicates that contamination was considered as part of the former approval for the retirement village.

The site was previously used as a dairy farm which required limited use of chemicals for this purpose. There is a contamination report prepared by the land owner outlining routine use of detergents, drenches, petrochemicals (e.g. diesel), fertilisers and herbicides. The owner provides a statutory declaration that there is no contamination on the land. Council also states in the PP that any remediation required could be identified and carried out as part of the development application process. It is considered that the PP is consistent with SEPP 55 under these circumstances.

SEPP Mining, Petroleum and Extractive Industries – The Upper Hunter Strategic Regional Land Use Plan (UHSRLUP) identifies the area as having potential resources and high CSG potential.

The land is subject to an Exploration License however when the license was renewed in 2013, it did not contain the subject site. Exploration drilling for CSG has occurred on the site however the results are unknown to the landowners. Due to the potential impact of the proposal on the resource it is recommended that the PP be referred to the Department of Trade & Investment, Regional Infrastructure & Services Division of Resources and Energy (T&I) (see S117 Direction 1.3 below).

The PP is consistent with all other relevant State policies.

S117 DIRECTIONS

Direction 1.3 Mining, Petroleum Production and Extractive Industries - Direction 1.3 applies to the planning proposal as the proposal may have the effect of prohibiting mining. Therefore it is necessary to consult with the Director General of the Department of Trade & Investment, Regional Infrastructure & Services Division of Resources and Energy (T&I). Any advice from T&I should be included in the PP prior to community consultation. Until consultation with T&I has occurred consistency or otherwise cannot be determined. It is recommended that this aspect of the proposal be considered by the Acting Secretary of P&E prior to making the plan.

Direction 1.5 – Rural Lands – the planning proposal is potentially inconsistent with Direction 1.5 as it is not consistent with the Rural Planning Principals as it does not recognise the importance of agriculture in the area. It is also not consistent with the Rural Subdivision Principals as it does not minimise rural land fragmentation. However, the land is not identified as prime agricultural land. Consultation should occur with DPI (Agriculture) to determine consistency with Direction 1.5 and whether any inconsistency is justified. This should occur prior to exhibition and this aspect of the proposal should be

considered by the Acting Secretary of P&E prior to making the plan.

Direction 2.1 – Environmental Protection – the planning proposal is inconsistent with Direction 2.1 as it does not protect environmentally sensitive areas. The site is zoned E3 Environmental Management in recognition of the scenic landscape value of the land. In addition the vegetated strip of land along the roadside is identified as habitat for the listed vulnerable species Grey Crowned Babbler within Council's Grey Crowned Babbler Retention Plan 2005, although this is identified within the PP. This vegetation also has an important role in screening proposed development and minimising the impact of this development on the scenic amenity of the area. Council propose to zone the vegetated strip and consider the protection of the land through the DA process with deeper lots potentially along the boundary. The PP indicates that an 88B instrument is the most suitable mechanism to achieve this protection, however the Department is generally not supportive of this approach due to difficulties associated with enforcing the conditions. Whether or not the R2 zone is appropriate for this portion of land requires further consideration by Council and the community. This consideration should occur prior to exhibition and in consultation with OEH. Advice from OEH and the relevant material from Council's retention plan should be incorporated into the PP prior to exhibition. Any inconsistency with this direction can be considered prior to making the plan.

Direction 2.3 Heritage Conservation – Gloucester LEP 2010 contains the model clause to protect and conserve heritage and therefore the PP is consistent with Direction 2.3. Although heritage was considered as part of the LES for the retirement village there is no statement in the PP regarding potential European heritage or Aboriginal heritage.

Direction 3.4 Integrated Land Use and Transport – the planning proposal is consistent with Improving Transport Choice – Guidelines for Planning and Development as it will contribute to Council's planned cycleway on the opposite side of Bucketts Way. Safe connection from the proposed development to the cycleway should be discussed in the PP to determine consistency with Direction 3.4 and impact upon existing roadside vegetation.

Direction 3.5 Development near a Licensed Aerodrome – the subject site is affected by High Impact Noise in accordance with Gloucester LEP 2010 ANEF Map. The PP does not address Direction 3.5 and more information is required to determine consistency or otherwise.

Direction 4.3 Flood Prone Land – The PP is consistent with Direction 4.3 as it does not alter a zone over flood prone land. The rear of the site is flood prone however the PP indicates that the proposed residential zone will apply outside of this area. Council has advised that the Gloucester flood study did not extend to the subject site and additional flood investigation is required to confirm that the development remains outside flood affected land.

Direction 4.4 Planning for Bushfire Protection – the PP is consistent with Direction 4.4 as the site is not bushfire prone.

A number of local strategic documents are relevant to the proposal

Gloucester Housing Development Strategy 2006 (GHDS)

The site is identified as existing vacant land in the Residential Land Release 2005-2030 map. This is because the site was approved for a retirement village at the time. The yield from the site was not included within total potential yield from existing vacant land at Gloucester (totalling 128 lots at Gloucester or 14 years supply) but was identified as providing 17 years supply of aged housing. The Strategy identifies additional land supply within the town of Gloucester to 2030 (245 lots) and an extensive supply of land to the east of the town for future residential supply at Gloucester beyond 2030 (928 lots) (Tag GHDS extract).

The Strategy states that 'the approved Aged Unit development on Bucketts Way has been

resubmitted to Council as part of this review process to look at its potential redesign to allow residential dwellings to be incorporated into the over use of the property. Council needs to consider the request for rezoning and could require a number of aged units to be developed prior to the release of residential parcels to ensure the balance in development is established.' Council has advised that the 2006 strategy is somewhat outdated and that they intend to test some of the recommendations of this strategy in the forthcoming Land Use Study. The timing of the study is not known.

Gloucester Local Environmental Study 2006 (for the SI LEP)

A Local Environmental Study was prepared to support Council's development of a standard instrument LEP. During this time Council considered the potential rezoning of the subject site however determined that the land was not required for the immediate future and retained the environmental management zone. Council indicated in 2011 that this decision was to be reviewed as part of a broader review of land along the Bucketts Way South (Tag 2011 GSC) however that work did not progress.

Development on Western Side of Bucketts Way

Council indicates that it has historically resisted development of the western side of the Bucketts Way and have maintained its environmental zoning to protect the scenic amenity. However, in supporting this application that position is now under review and will be explored further through Council's forthcoming Land Use Study. The absence of a strategic assessment of development along this western side more broadly is a limitation to the analysis of the visual impact and affects decisions regarding appropriate lot size, traffic and pedestrian connections.

The PP currently indicates (p.14) 'the overall policy with respect for development on the western side of Bucketts Way is a matter for Council'. Council should revise the PP to better clarify its position regarding development in this area more broadly.

Minimum Lot Size

The eastern side of Bucketts way comprises existing industrial land (with a minimum lot size of 1,000m²) and rural residential land with a minimum lot size of 4,000m². The proposed development also results in a more intense footprint than previously supported by council through the existing consent (i.e. with a 40% increase in the number of dwellings). It is not clear why Council have elected to adopt a more intense development footprint on the western side of Bucketts Way particularly considering the visual sensitivity of the area.

An assessment by Gloucester Real Estate has been provided as an annexure to the PP to justify the 1,000m² minimum lot size at this site. The assessment indicates that standard residential lots are not in demand and neither are 2,000 square metre (and over) sized lots therefore there is demand for 1,000 square metre lots.

This analysis does not clearly justify why 1,000m² lots at this site are suitable. Council should revise the planning proposal to justify the intensity of this development compared to R5 Large Lot residential development on the eastern side of Bucketts Way and the existing development consent.

Environmental social
economic impacts :

The key issue associated with the proposal is its impact on the visual significance of the locality. This impact is influenced by the intensity of the proposal, 1,000m² minimum lot size and the lack of any protection of the existing vegetated strip adjacent to the road.

Visual Impact Assessment

The Annexure to the PP states that the Bucketts Range is a significant scenic attribute of the town but asserts that the landscape character of the area is already likely to change as a result of the existing approved development and that the overall impact of the development compared to the permitted development will be relatively minor. For this reason it is considered appropriate that relevant documentation regarding the existing approval, including the approved lot layout, should be exhibited alongside the planning proposal.

The PP states that the southern town entry is not well defined and that a 'gateway' will be created at the intersection of Church and Phillip streets. The gateway is marked at the southern edge of the town by the urban fringe including the golf course and the industrial estate at Jacks Road. The SLCVIA proposes that the development provides an opportunity to define the southern entry. However without an endorsed strategic position on development west of Bucketts Way, further development to the south and north of the site may occur without strategic considerations.

The environmental impacts of development on the site has previously been assessed for the retirement village proposal through a Site Specific Local Environmental Study. The earlier approval is cited within the PP (and specifically within the Strategic Landscape Character and Visual Assessment) as justification for the development of the site and therefore this earlier assessment is considered relevant.

The site specific LES made a number of recommendations to manage the visual impact of the proposed development on the scenic value of the site. This includes limiting development to single storey dwellings, dwellings of non-reflective material, clustering housing to enable interspersed landscaping, vegetation retention and enhancement, and a 75 metre vegetated buffer to Bucketts Way. This buffer was subsequently reduced to 50m by Council as part of their approval of the retirement village DA and all other recommendations were reflected in the DA or became conditions of consent. These recommendations remain relevant for this site and the consideration of the proposed development's impact on scenic amenity. Due to the lack of these controls within the residential proposal, the conclusion within the visual assessment that 'the overall impact of the development compared to the permitted development will be relatively minor' is not supported.

ENVIRONMENTAL

The PP recognises the vegetation along The Billabong's riparian edge to the west. It proposes that the riparian vegetation, which is also flood affected, retain its E3 zoned land.

The existing vegetation along Bucketts Way has value both for its environmental attributes and its screening of future development.

Grey-crowned Babbler Retention Plan 2005 (GCBRP)

The aim of the GCBRP is to address the evidence that future expansion of Gloucester will impact on the Threatened Grey-crowned Babbler and its habitat. The aim of the Plan is to identify the habitat around Gloucester and include planning options for development expansion.

Due to the decline in native woodland in south-eastern Australia most of the remaining habitat in NSW occurs along roadside verges and remnant forests.

The GCBRP identifies the vegetation along the road side verge as the Cemetery Road Group's nesting and foraging area. The Plan recommends the roadside vegetation strip be reserved as a 30 metre rehabilitation area.

Gloucester Council has taken similar action on land in the vicinity such as the adjacent industrial land which is consistent with the Plan's actions. The Plan also proposes consultation with key stakeholders and OEH regarding potential impacts. It is recommended the PP address the GCBRP.

The PP proposes deeper lots along Bucketts Way to protect the vegetation however retains the R2 zone and 1,000m² lot size. The PP states that using a zone to protect this habitat is unwarranted. The PP indicates that an 88B instrument is the most suitable mechanism to achieve this protection, however as previously raised, the Department is generally not supportive of this approach due to difficulties associated with enforcing the conditions. Rear fences at the southern entry to the town may have a significant impact

and result in fragmentation and potential loss of the existing vegetation that may otherwise screen development. For this reason an alternative approach to managing the 50 metre strip along the roadside requires further consideration by Council and the community. Council should examine the use of an alternative zone or minimum lot size to address this issue. This consideration should occur prior to exhibition and in consultation with OEH. Advice from OEH and the relevant material from Council's retention plan should be incorporated into the PP prior to exhibition. Any inconsistency with this direction can be considered prior to making the plan.

Flooding

As discussed in Direction 4.3 above the land is flood prone however the proposed residential development is to be located outside of the flood prone area. Council has advised that the flood planning area identified in the Gloucester LEP 2010 is determined from the Gloucester Floodplain Management Plan of June 2004, which is based on 1% AEP Flood Level (and doesn't appear to adopt the recommended freeboard allowances: Gloucester River 0.75m and Avon River 0.50m). It should be noted that the study area boundary was Jacks Road, and as such the 'taper' through lot 11 DP 193003 & lot 12 DP 193003 is not validated. It is noted that the last contour line indicated on Gloucester LEP 2010 Flood Planning Map – Sheet FLD_009 is likely to be the end of valid data and the point as drawn beyond that area (from Jacks Road to south of Wellards Lane) is an extrapolation of data.

Because the accuracy of Gloucester LEP 2010 Flood Prone Land map is not confirmed, additional site-specific investigation is recommended and this information should be incorporated into the PP prior to exhibition.

Infrastructure

The PP proposes on-site effluent disposal however Council has advised that it only accepts on-site sewer disposal on land 8000m² and above, subject to confirmation of capacity of the soils to accommodate the proposed effluent disposal system (noting that most soils within the basin are clay based). Consultation should occur with MidCoast Water to determine the capacity to service the site with reticulated waste water. The PP should be revised to indicate that the site will be serviced following this consultation and prior to exhibition.

Contamination

See SEPP 55 above.

Heritage

As discussed above in Direction 2.3, the PP does not contain assessment of potential European heritage or Aboriginal heritage. Although heritage was considered as part of the LES for the retirement village there is no statement in the PP regarding potential European heritage or Aboriginal heritage.

It is recommended that the PP address potential heritage items on site and consult with the Biripi LALC.

SOCIAL

Net community benefit analysis (NCBA)

The NCBA states that the PP will not set a precedence as there is rural residential and industrial development in the surrounding area. However it is considered the proposal will set precedence on the western side of Bucketts Way.

The proposed neighbourhood shop is not a provision of the PP but will be permissible in the zone with a maximum floor space of 80 square metres. It is considered that this scale of retail will not adversely impact on the hierarchy of the town centre.

National Heritage List

The National Trust have nominated the Gloucester Valley for the National Heritage List, although it has not yet been assessed and listed. Places on the list are protected by the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Transport

It is proposed that the 140 lots be accessed via one road connecting to Bucketts Way used as egress and ingress at a roundabout. Due to the potential precedent by a new development front on the western side of Bucketts Way, it is recommended that a coordinated transport approach be considered by Council should more development be proposed to the north and south of the site. A co-ordinated approach will reduce the likelihood of a series of single access points along Bucketts Way.

The PP is open to Council determining the alignment of pedestrian and cycleway connection with the existing shared path. It is recommended that the proposed alignment of the shared path be considered through PP process to be consistent with Direction 3.4 and to address any impact on existing vegetation.

ECONOMIC

The R2 development is likely to result in a positive impact on the local economy through the construction phase of the subdivision and housing. There is also potential for a positive impact post-development should new families move into the area bringing additional expendable income.

Assessment Process

Proposal type :	Inconsistent	Community Consultation Period :	28 Days
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Timeframe to make LEP :	18 months	Delegation :	DDG
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Public Authority Consultation - 56(2) (d) :	NSW Aboriginal Land Council Office of Environment and Heritage NSW Department of Primary Industries - Agriculture NSW Department of Primary Industries - Minerals and Petroleum Other
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Flooding

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
130504D Gloucester River Run Final Planning Proposal.pdf	Proposal	Yes
130504D Gloucester River RunFinal Planning Proposal Appendices LR.pdf	Proposal	Yes
Gloucester Shire Council_09-04-2014_Additional information Gloucester PP Bucketts Way South_.pdf	Proposal Covering Letter	Yes
Gloucester Shire Council_13-11-2013_PP Lot 2 DP568113 & Lots11&12 DP193003 4571 Bucketts Way South Gloucester_.pdf	Proposal Covering Letter	Yes

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
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies

Additional Information :

1. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and 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 & Infrastructure 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Department of Trade & Investment, Regional Infrastructure & Services Division of Resources and Energy (T&I)
- Department of Primary Industries - Agriculture
- Office of Environment & Heritage (flora and fauna)
- Local Aboriginal Land Council
- MidCoast Water

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. Once the consultation is undertaken with the public authorities, and information is provided, Council is to update its consideration of S117 Directions.

3. 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).

4. The timeframe for completing the LEP is to be 18 months.

Gloucester LEP 2010 – Bucketts Way South

5. Update PP to ;
- * clarify Council's intentions regarding development on the western side of Bucketts Way more broadly
 - * determine an appropriate measure to protect the vegetated strip along Bucketts Way in consultation with OEH.
 - * identify the site as sewered
 - * address the Gloucester LEP 2010 ANEF Map and issues of aircraft noise
 - * undertake a site specific flood study and include a map indicating the proposed residential development overlayed with the flood prone land as determined by the study.
 - * demonstrate the location and/or connection to the shared path on the other side of The Bucketts Way.

6. Exhibit together with the PP;
- * Grey Crowned Babbler Retention Plan
 - * Former DA consent including development layout

7. Submit the revised PP to the Regional Office prior to exhibition.

8. Council not be given delegations for this PP due to the outstanding issues to be resolved.

Supporting Reasons :

The PP represents a departure from Council's long term strategic settlement plan and requires revision prior to exhibition. Given the lengthy history associated with this site it is considered that the Gateway support further consideration of development on this site by Council and the community, consistent with the conditions provided.

Signature:



Printed Name:

KOFUAKERTY

Date:

4/7/14