

Gosford Local Environmental Plan, Niagara Park 5(a) Special Uses to 3(a) Business General

Proposal Title :	Gosford Local Environmental Plan, Niagara Park 5(a) Special Uses to 3(a) Business General		
Proposal Summary :	To rezone part of Lot 23 DP 1157397 (885.5m ²) from 5(a) Special Uses (Multi Purpose Recreational Facility) to 3(a) Business General to enable an existing building to be used for retail, commercial and business purposes. The remainder of Lot 23 is already zoned 3(a) and contains the Niagara Park Shopping Centre.		
PP Number :	PP_2013_GOSFO_001_00	Dop File No :	12/20501

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 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 : It is recommended that:

1. The Planning Proposal be supported.
2. Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning & Assessment Act 1979 ('EP&A' Act) as follows:
 - (a) the Planning Proposal be made publicly available for 14 days;
 - (b) the relevant authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be publicly available along with planning proposals as identified in section 4.5 of A guide to preparing LEPs (Department for Planning 2009).
3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material and is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal.
4. The DG agree that the provisions of the planning proposal that are inconsistent with the terms of the 117 direction 6.2 are of minor significance
5. 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.
6. The timeframe for completing the LEP is 6 months from the date of the Gateway Determination.

Supporting Reasons : The proposal is consistent with the Central Coast Regional Strategy (2006-2031).

A Gateway Determination will allow the proposed rezoning to progress regardless of any further delays with the draft Gosford Local Environmental Plan 2009.

A 6 months timeframe is proposed by Council. The submitted project timeline demonstrates this timeframe is achievable.

Panel Recommendation

Recommendation Date : **24-Jan-2013**

Gateway Recommendation : **Passed with Conditions**

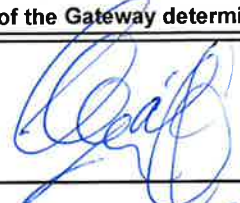
Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to consult with the NSW Rural Fire Services as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
 2. 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 2012) and must be made publicly available for 14 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 2012).
 3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - NSW Rural Fire Service
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning 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 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).
 5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

31.1.13