

GOSFORD CITY CENTRE Extend clause 8.9 Development Incentives

Proposal Title : **GOSFORD CITY CENTRE Extend clause 8.9 Development Incentives**

Proposal Summary : **Extend application of Gosford City Centre incentive provisions in clause 8.9 of Gosford LEP 2014 for 12 months.**

PP Number : **PP_2014_GOSFO_010_00** Dop File No : **14/10445**

Proposal Details

Date Planning Proposal Received : **10-Jul-2014** LGA covered : **Gosford**

Region : **Hunter** RPA : **Gosford City Council**

State Electorate : **GOSFORD** Section of the Act : **55 - Planning Proposal**

LEP Type : **Policy**

Location Details

Street :

Suburb : City : Postcode :

Land Parcel : **Gosford City Centre except land zoned by SEPP Amendment Gosford Cultural Precinct and John Whiteway Drive Precinct**

DoP Planning Officer Contact Details

Contact Name : **G Hopkins**

Contact Number : **0243485000**

Contact Email : **garry.hopkins@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Brian McCourt**

Contact Number : **0243258260**

Contact Email : **brian.mccourt@gosford.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release
(Ha) :Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

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

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : Council provided additional information on 30 June 2014 and 10 July 2014.

External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? Yes

Comment : Adequate

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

Is an explanation of provisions provided? Yes

Comment : Suggests wording for an amended clause however proposed words might not work as the
'12 months after the notification of this plan' would reside in Gosford LEP 2014 meaning
the clause would expire on 11 February 2015.**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.2 Coastal Protection

2.3 Heritage Conservation

3.1 Residential Zones

3.4 Integrating Land Use and Transport

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

Is the Director General's agreement required? No

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

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

Other SEPPs apply (eg. SEPP 19) but the proposal is consistent. Other 117 directions apply (eg. 4.1, 4.3 and 4.4) but the proposal is generally consistent however s.117 direction 4.4 requires consultation with the RFS as the proposal will affect bushfire prone land.

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain : **Consideration of 117 direction 4.4 should follow consultation with RFS.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **A map is included under the heading 'Proposed Zoning Under Draft Gosford LEP'. This heading is incorrect as the map shown is the map where the clause applied prior to commencement of Gosford LEP 2014 (ie under Gosford City Centre LEP 2007).**

The heading should be amended and the correct map included. Council should also include discussion of why the proposed amendment does not apply to entire Gosford City Centre.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **14 days proposed and this is considered adequate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Assessment Criteria

Need for planning proposal :

Council states:

"Anecdotally, developers are becoming more interested in developing in Gosford and the incentives could encourage further interest and subsequent development. Extension of the end date of application of the bonus clause within LEP 2014 as an interim measure, may encourage other developers to invest in the Gosford City Centre."

"Since the making of the plan to provide incentives in 2012 Council has seen the beginnings of improved confidence in the development of the Gosford City Centre and it would be beneficial if these improvements are reinforced through an extension of bonuses for a further 12 months."

"Recent consultations with the owners of the main potential city centre redevelopment

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sites have indicated that having regard to depressed city property prices and the difficulties being experienced in accessing development finance, development incentive measures are required to encourage any substantial redevelopment."

Consistency with strategic planning framework :

Supporting development in the regional city of Gosford is consistent with the Central Coast Regional Strategy. Development applications for buildings with increased height and FSR still need to be evaluated against relevant controls including against clause 8.5 Design excellence of Gosford LEP 2014.

Environmental social economic impacts :

Council advises:

"A total of ten (10) development applications have been lodged with Council to take advantage of the bonuses."

3 applications are understood to be for S96 EP&A Act amendments to allow bonus development under the clause and 7 for new development applications that have incorporated the bonus development under the clause.

"Three (3) applications have moved to substantial commencement with none of these developments appearing to be moving to further construction activity at this stage."

"The total value of development for the 10 Development Applications received is \$110.77m."

It is unclear if all 10 applications have been approved.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) : **NSW Rural Fire Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **There is limited information to weigh up pros and cons of the proposed extension. In the absence of any compelling case not to support extension, extension could be supported for the requested 12 months.**

During that 12 months Council, supported by DP&E, should undertake further analysis of development controls and project viability to support any future extension request.

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Planning Proposal.pdf	Proposal	Yes
Timeline.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
 2.2 Coastal Protection
 2.3 Heritage Conservation
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 5.1 Implementation of Regional Strategies
 6.1 Approval and Referral Requirements

Additional Information : **Update planning proposal to refer to and include correct map and provide discussion on City Centre areas excluded.**

Consult with RFS then confirm consistency with 117 direction 4.4.

14 days community consultation.

6 months to complete.

Plan-making delegation to Council.

Additional wording for letter: Council to further consider development controls and project viability, with support from DP&E, to support any future extension request.

Supporting Reasons : *

Signature: _____

Printed Name: _____

G Hopkins
G HOPKINS

Date: _____

14.7.2019

