

**TERRIGAL, Kings Avenue and Belar Avenue, PICKETTS VALLEY, Picketts Valley Way -
'Kings Ridge'**

Proposal Title :	TERRIGAL, Kings Avenue and Belar Avenue, PICKETTS VALLEY, Picketts Valley Way - 'Kings Ridge'		
Proposal Summary :	The proposal affects land previously rezoned as the Parkside Home Business Park. The proposal is to: - alter the minimum size of the home business required in each dwelling to 10 square metres - remove the additional permitted use of 'home business support hub' - change the references to the site in the LEP from 'Parkside' to 'Kings Ridge'		
PP Number :	PP_2014_GOSFO_013_00	Dop File No :	14/10853

Proposal Details

Date Planning Proposal Received :	16-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 :	Part Lot 202 DP 831864 and Part Lot 2 DP 1189881 Kings Avenue Terrigal, Part Lot 4 DP 37914 and Part Lot 2 DP 1111392 Belar Avenue Terrigal and Lot 1 DP 381971 Picketts Valley Way, Picketts Valley		

DoP Planning Officer Contact Details

Contact Name :	G Hopkins
Contact Number :	0243485002
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 :	

TERRIGAL, Kings Avenue and Belar Avenue, PICKETTS VALLEY, Picketts Valley Way - 'Kings Ridge'

Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Central Coast Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			

If No, comment :

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

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The proposal was lodged on 27 June 2014. Additional clarifying information was supplied by Council on 16 July 2014.**

Council has sought delegation for the proposal.

External Supporting Notes : **The land was rezoned residential in 2012. Throughout the preparation of the rezoning LEP the proposal was promoted as a 'Home Business Park' with certain attributes differentiating the proposal from a typical residential release. These differences included a requirement for each dwelling to contain a home business of between 30 and 60 square metres and provision for development of a 'home business support hub' (defined as a building used for one or more of business premises, child care centres, community facilities, function centres, neighbourhood shops, office premises, recreation facilities (indoor) and restaurants or cafes).**

The proposed change arises from new ownership. The size of small business required in each dwelling house will change from 30-60 to 10-60 square metres and the 'home business support hub' will no longer be a permissible use.

Adequacy Assessment

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

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

Comment : **The statement of objectives could be clearer as to the purpose of the planning proposal but is adequate.**

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

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

Comment : **The explanation of provisions shows the existing and proposed new LEP clause to**

demonstrate how the objectives will be achieved. Changes may be made during drafting.

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

3.1 Residential Zones

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

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

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

d) Which SEPPs have the RPA identified?

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

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

If No, explain : **117 direction 4.4 requires consultation with the RFS following which the 117 direction should be reconsidered.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **An amendment to the Additional Permitted Uses map will be required. An amendment to the Lot Size map could also be considered (discussed later).**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes 14 or 28 days. A minimum of 14 days would be adequate.**

Additional Director General's requirements

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

If Yes, reasons : **Project Timeline - Council has estimated the plan will take 5 1/2 months**

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 : **The PP will amend clause 7.8 of Gosford LEP 2014.**

Assessment Criteria

Need for planning proposal :	The planning proposal has arisen due to new ownership. The removal of the home business support hub as a permissible use is not necessary as it was not mandatory. Council could consider keeping this as a permissible use. Reflecting the name change in the LEP is not necessary and would not warrant a stand-alone amendment.
Consistency with strategic planning framework :	The previous proposal was not supported by OEH as it did not maintain or improve biodiversity. Council, and ultimately the Minister's delegate, supported the previous rezoning on the basis that the economic benefits outweighed environmental impacts.
Environmental social economic impacts :	The PP should consider whether the economic benefits claimed for the previous rezoning (220 jobs) will still accrue given potentially smaller home businesses (previous proposal estimated 2 persons per home business) and with the home business support hub no longer permissible. Council recently submitted a planning proposal for land at Wycombe Road Terrigal which proposes to introduce a 650 m2 minimum lot size development standard into GLEP 2014 because the land has a slope of 15-20%. For consistency, Council should consider including the same minimum lot size for this land and adjust the planning proposal as necessary (text and maps).

Assessment Process

Proposal type :	Routine	Community Consultation Period :	14 Days
Timeframe to make LEP :	6 months	Delegation :	RPA
Public Authority Consultation - 56(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 :			
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			

TERRIGAL, Kings Avenue and Belar Avenue, PICKETTS VALLEY, Picketts Valley Way - 'Kings Ridge'

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.docx	Proposal	Yes
Timelin2.docx	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **3.1 Residential Zones**
 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 : **Provide discussion on:**
 - potential for amended lot size maps given Wycombe Road example and slope on this site
 - whether economic benefits (220 jobs) of previous proposal will still accrue given potential smaller size of home business and removal of potential for 'home business supporty hub'
 - consider keeping 'home business support hub' as a permissible use given it is not mandatory and given its importance to the original proposal

 - consult with RFS and reconsider 117 direction 4.4

 - 14 days consultation

 - 6 months time frame

Supporting Reasons : *

Signature:



Printed Name:

G. HOPKINS

Date:

30.7.2014

