

Rezone land from 7(b) Scenic Protection to SP2 Infrastructure/ E2 Environmental Conservation at 41 Palmdale Road, Palmdale

Proposal Title :	Rezone land from 7(b) Scenic Protection to SP2 Infrastructure/ E2 Environmental Conservation at 41 Palmdale Road, Palmdale		
Proposal Summary :	The planning proposal (PP) would rezone lot 3 DP 549272 being 41 Palmdale Road, Palmdale from 7(b) Scenic Protection to SP2 Infrastructure and E2 Environmental Conservation in the Wyong Local Environmental Plan 1991.		
PP Number :	PP_2013_WYONG_004_00	Dop File No :	13/04015

Planning Team Recommendation

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

S.117 directions :

- 2.1 Environment Protection Zones
- 4.3 Flood Prone Land
- 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 the PP proceed subject to the following conditions:

- update the PP with s117 and environmental impact considerations contained in the Council report and this Gateway Determination;
- prepare a locality map and a map showing the existing zoning of the site and adjoining land and include this in the exhibition package. All maps should clearly identify the site;
- consult with the RFS and update s117 direction 4.4 Planning for Bushfire Protection;
- consider the need to consult with OEH per s.34A of the Act should Council be of the view the EEC will or may be adversely affected by the PP;
- 14 day community consultation period; and
- 9 month completion timeframe.

It is recommended that the DG (or delegate) agree that inconsistencies with s117 directions 2.1 Environment Protection Zones, 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are of minor significance.

Supporting Reasons :

Panel Recommendation

Recommendation Date : **14-Mar-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to update its consideration of S117 Directions and its consideration of the environmental impacts of the proposal within the planning proposal, by using information currently contained in Council's report.
2. Prior to undertaking public exhibition, Council is to include a locality map and existing and proposed land zoning maps, which are at an appropriate scale and clearly identify the subject site.
3. Council is to consider the proposals impact on endangered ecological communities and if necessary, consult with the Office for Environment and Heritage (OEH).
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:

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(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 a minimum of 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).

5. Consultation is required with the NSW Rural Fire Services (RFS) under section 56(2)(d) of the EP&A Act and in relation to the requirements of S117 Direction 4.4 Planning for Bushfire Protection. The RFS 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

Signature:



Printed Name:

NEIL SELMAN

Date:

15/03/2013