

**GWANDALAN, Tourist and Visitor Accommodation on Lots 1-4 Section 22 DP 28961, 2-8
Aldinga Road**

Proposal Title : **GWANDALAN, Tourist and Visitor Accommodation on Lots 1-4 Section 22 DP 28961, 2-8
Aldinga Road**

Proposal Summary : **The proposal seeks to add Tourist and Visitor Accommodation as an additional permitted use
on Lots 1-4 Section 22 DP 28961, 2-8 Aldinga Road Gwandalan.**

PP Number : **PP_2015_WYONG_008_00** Dop File No : **15/12906**

Proposal Details

Date Planning Proposal Received : **26-Aug-2015** LGA covered : **Wyong**

Region : **Hunter** RPA : **Wyong Shire Council**

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

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb : City : Postcode :

Land Parcel : **Lots 1-4 Section 22 DP 28961**

DoP Planning Officer Contact Details

Contact Name : **G P Hopkins**

Contact Number : **0243485000**

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

RPA Contact Details

Contact Name : **Peter Kavanagh**

Contact Number : **0243505537**

Contact Email : **peter.kavanagh@wyong.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 :

**GWANDALAN, Tourist and Visitor Accommodation on Lots 1-4 Section 22 DP 28961, 2-8
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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 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 :

Background

The land is owned by the Gwandalan Bowling Club which is located to the east across Gamban Road.

The proposal was considered several times by Council before it resolved on 22 July 2015 to prepare a planning proposal in the current form.

The proposal seeks to permit tourist and visitor accommodation on the site but only if the accommodation is 'associated with a registered club'.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **The statement of objectives is adequate.**

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

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

Comment : **An explanation of provisions and draft Schedule 1 entry is provided.**

The proposed inclusion of tourist and visitor accommodation as an additional permitted use is supported (subclause 1).

The explanation proposes a link to the owner (the use is to be operated only in association with a registered club) (subclause 2) . The planning proposal contains no information why such a restriction should be applied. If Council considers tourist and visitor accommodation is appropriate on the site it should provide information and justification for why the owner/operator should be a planning consideration.

Subclause 3 (Nothing within this clause allows for use of the site as a Caravan Park) is unnecessary as the definition of 'tourist and visitor accommodation' clearly states that it does not include caravan parks.

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

**2.2 Coastal Protection
2.3 Heritage Conservation
2.4 Recreation Vehicle Areas
3.1 Residential Zones
3.2 Caravan Parks and Manufactured Home Estates
3.3 Home Occupations
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.2 Mine Subsidence and Unstable Land
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
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?

**SEPP No 44—Koala Habitat Protection
SEPP No 55—Remediation of Land
SEPP No 71—Coastal Protection
SEPP (Mining, Petroleum Production and Extractive Industries)
2007**

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

Consultation with the Mine Subsidence Board is required under s.117 direction 4.2 Mine Subsidence and Unstable Land.

An assessment against SEPP 71 heads of consideration is required by cl. 7(a) of the SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Once consultation with MSB has occurred 117 direction 4.2 should be reconsidered.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Additional Permitted Use map sheet 22 will be amended.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A public meeting was held on 3 June 2015 with approximately 180 attendees.

Council proposes 28 days exhibition and this is supported.

Council proposes to provide notification to adjoining landholders.

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 :

Proposal will amend Wyong LEP 2013 (Schedule 1 and Additional Permitted Use map).

Assessment Criteria

Need for planning
proposal :

The planning proposal is required to allow the land to be used for tourist and visitor accommodation. Other ways of facilitating the use were considered by Council (R1 zone) and were rejected.

Consistency with
strategic planning
framework :

The proposal is consistent with the strategic planning framework.

Environmental social
economic impacts :

Land already zoned residential. Development will involve clearing. Issues associated with the use (eg. noise, traffic) will need to be considered at development application stage.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - s56(2) (d) : **Mine Subsidence Board**

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

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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
Cover letter.pdf	Proposal Covering Letter	Yes
Planning Proposal - Tourist Accommodation at Gwandalan.pdf	Proposal	Yes
Planning Proposal Attachment 1 - Assessment and Endorsement.pdf	Proposal	Yes
Planning Proposal Attachment 2 - Mapping.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

- 2.2 Coastal Protection**
- 2.3 Heritage Conservation**
- 2.4 Recreation Vehicle Areas**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**

Additional Information :

- Include consideration/discussion justifying proposed restriction on ownership.**
- Remove references in draft Schedule 1 entry to caravan parks not being permitted as this is clear in the definition of tourist and visitor accommodation.**
- Include assessment against heads of consideration as required by SEPP 71.**
- Consult with MSB under terms of s.117 direction 4.2 and update consideration in PP.**
- 28 days community consultation.**
- 9 months to complete.**
- Delegation to Council.**

Supporting Reasons : *

Signature:



Printed Name:

G PHOPKINS

Date:

7 September 2015

