

LISAROW, 7(c2) to R2 and E2 Lot 2 and 4, DP 740663, Taylor Road

Proposal Title : **LISAROW, 7(c2) to R2 and E2 Lot 2 and 4, DP 740663, Taylor Road**

Proposal Summary : **Rezone land zoned 7(c2) Conservation and Scenic Protection (Rural Small Holdings) under Interim Development Order 122 to R2 Low Density Residential and E2 Environmental Conservation.**

PP Number : **PP_2015_GOSFO_007_00** Dop File No : **15/08332**

Proposal Details

Date Planning Proposal Received : **19-May-2015** LGA covered : **Gosford**

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

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

LEP Type : **Spot Rezoning**

Location Details

Street : _____

Suburb : _____ City : _____ Postcode : _____

Land Parcel : **Lot 2 and 4 DP 740663**

DoP Planning Officer Contact Details

Contact Name : **G P Hopkins**

Contact Number : **0243485002**

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

RPA Contact Details

Contact Name : **Bruce Ronan**

Contact Number : **0243258176**

Contact Email : **bruce.ronan@gosford.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : _____

Contact Number : _____

Contact Email : _____

Land Release Data

Growth Centre : **N/A** Release Area Name : _____

Regional / Sub Regional Strategy : **Central Coast Regional Strategy** Consistent with Strategy : **N/A**

LISAROW, 7(c2) to R2 and E2 Lot 2 and 4, DP 740663, Taylor Road

MDP Number :

Date of Release :

Area of Release
(Ha) :Type of Release (eg
Residential /
Employment land) :**Residential**No. of Lots : **0**No. of Dwellings
(where relevant) : **8**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 notesInternal Supporting
Notes :

In addition to the history of the site referred to in Council's report, in 2012 consent was issued to subdivide Lot 2 DP 740663 into three lots including the dedication of land in the west to provide a connecting corridor between adjoining council reserves. Under the current planning proposal Council considers connectivity can be achieved through zoning the western vegetated part of the land to E2 Environmental Conservation.

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 : **In addition to the maps referenced, the Land Application Map will need to be amended in order to remove the land from IDO 122 and include in Gosford LEP 2014.****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

2.1 Environment Protection Zones**2.3 Heritage Conservation****3.1 Residential Zones****3.4 Integrating Land Use and Transport****4.1 Acid Sulfate Soils****4.2 Mine Subsidence and Unstable Land****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? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 44—Koala Habitat Protection

SEPP No 55—Remediation of Land

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

s.117 directions

1.3 Mining, Petroleum Production and Extractive Industries applies because the proposal will cause agriculture to be prohibited and therefore the permissibility of extractive industry under the Mining SEPP will no longer apply. Given the size and location of the site it is considered any inconsistency with the 117 direction is of minor significance.

2.1 Environment Protection Zones

The proposal zones land from 7(c2) to R2 and E2 with a bushland management plan to be prepared for the E2 land. This reflects both an increase (7(c2) to E2) and a decrease (7(c2) to R2) of environmental protection standards. Council's conclusion is that the net effect is a benefit to the environment and that the proposal is therefore consistent with the direction. However, while Council has proposed a boundary between the E2 and R2 land to facilitate a housing site on the cleared part of the land zoned E2, the potential requirement for an asset protection zone at this site and the potential affect on bushland retention is not discussed.

Given that the RFS will need to be consulted, consistency with this 117 should be determined following consultation with RFS and confirmation of zone boundaries.

4.1 Acid Sulfate Soils

Although Council intends updating the acid sulfate soils map sheet to class 5, the land is over 2 kilometres from the nearest ASS class 1-4. Updating the map can occur as proposed by Council but a longer term approach would be for Council to trim the area of all class 5 to only include a 500 metres strip around other ASS classes (as has been done by Wyong Shire Council among others). This will avoid the need for unnecessary consideration of ASS where it is not an issue.

4.2 Mine Subsidence and Unstable Land

Council maps the land as having a medium landslip hazard and will require a geotechnical report to be prepared. The direction should be reconsidered after Council has considered this report.

4.4 Planning for Bushfire Protection

The land is bush fire prone and consultation with the RFS will be required.

A previous subdivision DA suggested the need for a 50 metre asset protection zone to vegetation in the west. Once consultation with RFS has been undertaken, the boundary between the proposed E2 and R2 zones can be confirmed and the 117 direction will need to be reconsidered.

5.1 Implementation of Regional Strategies

The proposal is consistent with the intention of the regional strategy action 4.5 to review adequacy and accuracy of existing urban boundaries and zonings in fringe areas, albeit the CCRS required this as part of the development of Gosford LEP 2014.

The proposal includes a brief discussion on the potential for other sites in the vicinity to also be rezoned but postpones any action until Council prepares a broader review.

While the planning proposal is generally supported it should be amended to include a consideration of the sustainability criteria in Appendix 3 of the CCRS and then the 117 direction reconsidered.

SEPP 55 Remediation of Land

The site was formerly used for orcharding and it will be necessary to determine the land is suitable for the proposed uses under the terms of the SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **An amendment to the LAP map will be required to effect the movement of the land from IDO 122 to Gosford LEP 2014.**

Because the land will be brought into Gosford LEP 2014, amendments to a number of LEP maps will be required (zone, height, FSR, lot size). Council intends to amend the ASS map as well. This is a cosmetic change only and not strictly required.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **28 days proposed and agreed.**

Additional Director General's requirements

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

If Yes, reasons : **Timeline: Council proposes 12 months to complete the plan. This should be more than adequate time to allow completion.**

Delegation: Council requests delegation to finalise the plan and this is supported.

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 proposed amendment would be made by way of amendments to Gosford LEP 2014 maps.

Assessment Criteria

Need for planning
proposal :

The planning proposal extends an existing urban area and provides housing while conserving bushland.

Consistency with
strategic planning
framework :

The proposal is generally consistent with the strategic planning framework subject to the matters identified herein being addressed.

Environmental social
economic impacts :

Consultation with RFS is required following which assessment of likely impacts on bushland can be undertaken and zone boundaries confirmed.

An assessment of suitability of proposed land uses given potential contamination will be required under SEPP 55.

Council will require a landslip assessment in response to its landslip mapping and preparation of a bushland management plan.

The planning proposal considers visual impacts and concludes residential scale development will not be visually intrusive.

Traffic impacts are considered to be manageable on existing road network.

Council will require onsite detention and retention of stormwater to avoid any increase in downstream flooding.

Assessment Process

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

Timeframe to make LEP : **12 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

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 covering letter.pdf	Proposal Covering Letter	Yes
Council report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Planning proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable 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 : **Inconsistency with directions 1.3 agreed**

Amend LAP map.

Ensure consistency with SEPP 55.

Consult with RFS.

Confirm boundary between R2 and E2 after consultation with RFS.

Include assessment against sustainability criteria.

Reconsider 117 directions 2.1, 4.2, 4.4 and 5.1.

12 months to complete.

Delegation to Council

Supporting Reasons : *

Signature:



Printed Name:

G P HOPKINS

Date:

25 May 2015