

Key (Iconic) Sites Redevelopment - Vacant Site, The Entrance

Proposal Title : **Key (Iconic) Sites Redevelopment - Vacant Site, The Entrance**

Proposal Summary : **The planning proposal (PP) would introduce provisions that would allow the redevelopment of a Key (Iconic) Development Site identified by Council.**

PP Number : **PP_2012_WYONG_002_00** Dop File No : **12/11153**

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**
 - 4.1 Acid Sulfate Soils**
 - 4.3 Flood Prone Land**
 - 5.1 Implementation of Regional Strategies**

- Additional Information :
- Recommended conditions in order to progress the PP:**
- Council should confirm whether the PP intends to enable a specific development for a site or would introduce broader 'Key Site 'provisions similar to those intended to go in the draft SI LEP and amend the PP if needed. Should Council amend the PP, then this should occur in consultation with the Department's regional office.
 - Consistency with s117 direction 2.2 Coastal Protection should be expanded so that it is clearly demonstrated how the proposal satisfies the requirements of the policies referred to in this direction. Council should update the PP accordingly and reconsider consistency following its revised assessment.
 - The PP is inconsistent with s117 direction 6.3 Site Specific Provisions. Council should reconsider consistency with this direction following community consultation and seek the DG's agreement to any inconsistency at that time.
 - Should the PP intend to introduce broader 'Key Site 'provisions then Council may need to reconsider consistency with s117 directions/ SEPPs and consider the need to consult with the SEPP 65 design panel on the provisions proposed;
 - Agency consultation should occur with Transport for NSW and the RMS.
 - 9 month completion timeframe.
 - 28 day community consultation.

- Recommended advice to be included in the Gateway Determination letter:**
- If Council intends to exhibit the PP concurrently with the DA, site-specific DCP, and a draft VPA, then consideration should be given to providing an explanatory note with the exhibition material. This explanatory note should explain the Key Sites program process, the relationship between the relevant exhibition documents, and their individual approval processes so as to assist with community consultation.

- Supporting Reasons :
- The reason for the condition relating to Council confirming the intent of the PP is detailed in the 'Need for the Planning Proposal' section.
 - The need to reconsider s117 direction 2.2 assessment is due to the limited information provided currently.
 - The need to reconsider s117 direction 6.3 consistency following community consultation is due to the PP currently being inconsistent.
 - The need to potentially reconsider SEPPs/ s117 directions if the PP intends to introduce a broader 'Key Sites' provision is because this provision may apply to various other sites which may trigger different s117 directions or result in a different s117 direction assessment.
 - Agency consultation with Transport for NSW and RMS is due to traffic impacts/ accessibility aspects.

- Suggested advice in the determination letter is to assist with community consultation.

Panel Recommendation

Recommendation Date : 09-Aug-2012

Gateway Recommendation : Passed with Conditions

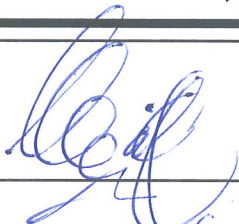
Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to clarify whether it will introduce broader key site provisions similar to those included in the draft Wyong comprehensive LEP or whether the planning proposal will only introduce specific development controls for land at Ocean Parade and The Entrance Road, The Entrance.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to clearly outline the intent of the planning proposal which is to achieve a maximum floor space ratio of 4:1 and a maximum building height of 70m AHD on the subject site.
3. Prior to undertaking public exhibition, Council is to amend the planning proposal to address the proposal's consistency with Directions 3.1 Residential Zones and 3.4 Integrating Land Use and Transport.
4. Prior to undertaking public exhibition, Council is to amend the planning proposal to clearly demonstrate how the planning proposal satisfies the requirements of Direction 2.2 Coastal Protection. Council should clearly demonstrate how the planning proposal is consistent with coastal policies under this Direction.
5. Council is to provide justification for the planning proposal's consistency with Direction 6.3 Site Specific Provisions. If the planning proposal is inconsistent with this Direction, Council should seek the Director General's agreement. If necessary, the Director General's agreement can be sought following community consultation.
6. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for 28 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).
7. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW
 - Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
8. 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).
9. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

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Signature: _____



Printed Name: _____

Neil McGaffin

Date: _____

17.8.12