

Amendment to Gosford IDO No 122 to enable an additional use as an "Educational Training Centre"

Proposal Title :	Amendment to Gosford IDO No 122 to enable an additional use as an "Educational Training Centre"		
Proposal Summary :	Amendment to Gosford IDO No 122 to enable an additional permissible use as an "Educational Training Centre" on Lot 9 DP 594281 Tumbi Road, Wamberal.		
PP Number :	PP_2012_GOSFO_003_00	Dop File No :	11/22546

Planning Team Recommendation

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

S.117 directions :

- 2.1 Environment Protection 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 :

- The first paragraph be retained in the Objectives and Intended Outcomes and the rest of the paragraphs be placed in the Need for the Planning Proposal section. Text should also be amended under Explanation of Provisions to remove the definition as is usual for 'enabling clauses' in IDO 122.
- The maps provided are required to be amended to include a north point and scale prior to exhibition.
- Council is required to address clause 6 of SEPP 55 - Remediation of Land and include it in the PP prior to exhibition.
- The PP is consistent with s117 Directions 2.1 Environment Protection Zones, 6.1 Approval and Referral Requirements and 6.3 Site Specific Provisions.
- The PP is inconsistent with 4.4 Planning for Bushfire Protection.
- The DG agrees that the provisions of the PP that are inconsistent with s117 Directions 3.4 Integrating Land Use and transport and 5.1 Implementation of Regional Strategies are of minor significance.
- Agency consultation with NSW Rural Fire Service, Roads and Maritime Services
- Community consultation for 14 days
- 6 month timeframe

Supporting Reasons :

- The removal of the discussion from this section is better located in the Need for the Planning Proposal section for clarity during exhibition. Definitions are usually not included in 'enabling clauses' in IDO 122.
- The mapping does not include a north point and scale.
- Council have not addressed SEPP 55 - Remediation of Land in the PP.
- The PP is considered to be consistent with the s117 Directions as above.
- Consistency with 4.4 Planning for Bushfire Protection cannot be determined until

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consultation occurs with NSW Rural Fire Service.

-The inconsistency with 3.4 Integrating Land Use and transport and 5.1 Implementation of Regional Strategies is of minor significance (see assessment tab for discussion).

-Agency consultation is required as the site is identified as bushfire prone land and the site adjoins and is accessed from a regional road.

-The PP is considered to be a routine low impact proposal and a 14 community consultation period is considered sufficient.

Panel Recommendation

Recommendation Date : 09-Feb-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to proceed with the planning proposal by amending the proposed definition to be included in the enabling clause to read 'Educational training centre'. All additional aspects of the proposed definition as included in sub-clauses (a) and (b) are to be deleted prior to proceeding to public exhibition. The planning proposal documentation should also be amended to reflect this revised approach prior to proceeding to public exhibition.

2. Council is required to prepare a Stage 1 Contamination Report in accordance with the requirements of SEPP 55 prior to exhibition. This report is to be included in the public exhibition material.

3. In relation to the planning proposal's inconsistency with Section 117 Direction 4.4 Planning for Bushfire Protection, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to proceeding to exhibition. The planning proposal should be amended (if necessary) to take into consideration any comments and requirements of the NSW Rural Fire Service prior to exhibition.

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:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 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 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- NSW Rural Fire Service
- 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.

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).

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7. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMAN

Date:

17/2/2012