

Rezone rural land to residential at Central Coast Hwy, Bakali Rd, Bellevue Rd, Forresters Beach

Proposal Title :	Rezone rural land to residential at Central Coast Hwy, Bakali Rd, Bellevue Rd, Forresters Beach		
Proposal Summary :	The PP would rezone land currently zoned 1(c) Rural (Rural Purposes) in the Gosford Interim Development Order 122 to 2(a) Residential under the Gosford Planning Scheme Ordinance and 7(a) Conservation under the Interim Development Order 122. An existing 7(a) zoned portion within the site would remain zoned 7(a). Should the draft Gosford Standard Instrument LEP be finalised prior to completion of the PP then the PP would rezone the land to R2 Low Density Residential and E2 Conservation. The existing 7(a) zoned portion would be rezoned to E2.		
PP Number :	PP_2012_GOSFO_015_00	Dop File No :	12/17315

Planning Team Recommendation

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

- S.117 directions :
- 1.2 Rural Zones
 - 2.2 Coastal Protection
 - 3.1 Residential Zones
 - 3.4 Integrating Land Use and Transport
 - 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 :
- The following conditions are recommended in order to progress the PP:
- detail the standard instruments zones that are proposed for the site should the PP amend the finalised Gosford SI LEP;
 - include a map showing the standard instrument zones proposed for the site;
 - clearly identify the subject site on each of the maps provided;
 - include height (8.5 m), FSR (0.5:1) and minimum lot size (550 m2) limits for the proposed R2 land in the PP and prepare relevant maps;
 - include minimum lot size (40 ha) limit for the proposed E2 land and prepare relevant maps;
 - update the SEPP 19 assessment to refer to those areas situated on lot 2 DP 706892 and lot 5 DP 1082979;
 - update the SEPP 71 assessment against the matters for consideration set out in the SEPP following the groundwater/ flooding/ hydrology/ water quality investigations;
 - consult with DPI (Agriculture) to inform inconsistency justification for s117 direction 1.2;
 - consult with DPI (Minerals) to satisfy s117 direction 1.3 and update consistency with this direction;
 - consider consistency with s117 direction 2.1, confirming that the proposed development that would be made permissible by this PP would be unlikely to result in an adverse impact on Wamberal Lagoon and associated ecosystems, as was reportedly found by the 'comprehensive joint expert report' (PP, page 13). Consultation with OEH (to satisfy s.34A of the EP&A Act also), NPWS and the CMA may inform this assessment.
 - update consistency with s117 direction 2.2 following flooding/ groundwater/ hydrology/ water quality studies to determine the impact on the Wamberal Lagoon;
 - reassess consistency with direction 3.2 once Council has completed the identified studies to determine whether the increased development of this urban fringe location is suitable;
 - determine consistency with s117 direction 4.3 following the flooding investigation;
 - reassess consistency with s117 direction 4.4 following consultation with RFS;

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- the PP is inconsistent with s117 direction 5.1. Council should reassess consistency with the sustainability criteria and this direction following completion of the relevant studies;
- in addition to the agencies already listed above, consultation should also occur with the RMS and Wyong Council;
- 28 day community consultation period; and
- 12 month completion timeframe.

Supporting Reasons : *

Panel Recommendation

Recommendation Date : **06-Dec-2012**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to commencing public exhibition, Council is to:
 - (a) amend the 'explanation of provisions' within the planning proposal to identify the proposed land use zones for the subject site under draft Gosford LEP 2012. A draft zoning map should form part of the exhibition material;
 - (b) amend the 'explanation of provisions' within the planning proposal to identify the proposed height of buildings, floor space ratio and minimum lot size controls proposed for the subject site, being a maximum height of 8.5m, maximum floor space ratio of 0.5:1 and minimum lot size 550sqm for land proposed to be zoned R2 and a 40ha minimum lot size for land proposed to be zoned E2. Draft height of buildings, floor space ratio and minimum lot size maps should form part of the exhibition material;
 - (c) ensure that all maps provided clearly identify the land which is subject to this planning proposal;
 - (d) update the planning proposal's consideration of State Environmental Planning Policy (SEPP) 19 - Bushland for Urban Areas to include a discussion on how the proposal will zone areas of ecological significance, including areas of significance on Lot 2 DP 706892 and Lot 5 DP 1082979;
 - (e) update the planning proposal's consideration of SEPP 71 - Coastal Protection, once groundwater, flooding, hydrology and water quality information has been obtained;
 - (f) update the planning proposal's consideration of S117 Direction 2.1 Environment Protection Zones to address any impacts the proposal may have on the Wamberal Lagoon and associated ecosystems;
 - (g) update the planning proposal's consideration of S117 Direction 2.2 Coastal Protection to take into consideration information obtained on flooding and other relevant coastal matters;
 - (h) update the planning proposal's consideration of S117 Direction 3.1 Residential Zones to provide further justification regarding the site's suitability for more intensive development;
 - (i) update the planning proposal's consideration of S117 Direction 4.3 Flood Prone Land once flooding investigations have been undertaken; and
 - (j) update the planning proposal's consideration of S117 Direction 5.1 Implementation of Regional Strategies, including an assessment against the sustainability criteria in the Central Coast Regional Strategy, once information on bushfire hazards, flooding, water quality and traffic impacts have been obtained.
2. Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. The planning proposal should be updated to take into consideration any comments made.
3. Council is to consult with the Department of Primary Industries (Minerals and Petroleum) as per the requirements of S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries. The planning proposal should be updated to take into consideration any comments made.
4. Council is to consult with the Department of Primary Industries (Agriculture) as per the requirements of S117 Direction 1.2 Rural Zones. The planning proposal should be updated to take into consideration any comments made.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental

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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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

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

- Hunter Central Rivers Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries (Agriculture)
- NSW Department of Primary Industries (Minerals and Petroleum)
- NSW National Parks and Wildlife Service
- NSW Rural Fire Service
- Transport for NSW – Roads and Maritime Services
- Wyong Council

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.

7. 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).

8. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:

M. Nelson A/EDO

Printed Name:

NEIL NELSON

Date:

10/1/2017