

Planning Proposal to rezone land from special uses to residential

Proposal Title : **Planning Proposal to rezone land from special uses to residential**

Proposal Summary : **The Planning Proposal (PP) would rezone land from 5(a) Special Uses (Aged Persons Housing) to 2(a) Residential in the Gosford Planning Scheme Ordinance (GPSO).**

PP Number : **PP_2012_GOSFO_014_00** Dop File No : **12/13110**

Proposal Details

Date Planning Proposal Received : **10-Aug-2012** 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 : **Eve Street, Bellbowrie Avenue**

Suburb : **Narara** City : Postcode : **2250**

Land Parcel : **Lots 13-20 Sec 15 DP 2240 Eve Street and Lots 21 and 22 Sec 15 DP 2240 Bellbowrie Avenue, Narara**

DoP Planning Officer Contact Details

Contact Name : **Ben Holmes**

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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 : Release Area Name :

Regional / Sub Regional Strategy : **Central Coast Regional Strategy** Consistent with Strategy : **Yes**

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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 (where relevant) : 0
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government Lobbyists Code of Conduct has been complied with :

If No, comment :

Have there been meetings or communications with registered lobbyists? : No

If Yes, comment :

Supporting notes

Internal Supporting Notes :

Site Description:

The site has an area of 7780 m2 and is an infill site in the low density residential suburb of Narara. It is approximately three kilometres north of Gosford and 1.3 kilometres south of the Narara Train Station. The site was formerly used as an seniors housing, containing several dwellings, however these were removed in 2011. It now contains some isolated trees but is otherwise largely cleared.

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 consistent with the Department's "A guide to Preparing Local Environmental Plans."

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

Is an explanation of provisions provided? Yes

Comment : The explanation of provisions is consistent with the Department's "A guide to Preparing Local Environmental Plans."

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

2.2 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

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6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

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

SEPP No 71—Coastal Protection

SEPP (Housing for Seniors or People with a Disability) 2004

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

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

If No, explain : **Further discussion on consistency with SEPPs and s117 directions is provided later in this report.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council should include a map showing the new GPSO zoning proposed for the site.**

The maps provided are otherwise considered adequate for the purposes of community consultation.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **A 14 to 28 day consultation period is proposed by Council. As this PP could be considered to be a routine, low impact proposal, a 14 day consultation period is recommended.**

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 : **December 2012**

Comments in relation to Principal LEP :

The draft SI LEP is currently with the Department to be finalised (at s.68). Council is currently considering the need to re-exhibit the SI LEP in light of several post-exhibition changes such as introducing a biodiversity overlay, a new E zone (SI Order amendment required) and deferring certain lands.

Under the SI LEP the land would be zoned R2 Low Density Residential. The equivalent to this zone in the GPSO is the 2(a) Residential zone (ie the zone proposed for the site in this PP).

The draft SI LEP would introduce height (8.5 m), FSR (0.65:1; 0.5:1 for dwelling houses), and

minimum lot size (550 m²) development standards. The GPSO does not include height or FSR controls for 2(a) zoned land, however the same 550 m² minimum lot size standard applies.

Should the SI LEP be finalised before this PP then the PP would no longer be required.

Assessment Criteria

Need for planning
proposal :

The PP brings forward a zoning change that Council had proposed to undertake through the SI LEP. Essentially, it would rezone an infill site in a low density residential area to low density residential zone.

Due to delays with the SI LEP, Council has decided to progress this PP in advance of the SI LEP. Bringing it forward would allow the site to be redeveloped earlier, potentially resulting in the creation of a small amount of new housing (amongst other potential uses).

While the site is currently zoned 5(a) Special Uses under the GPSO and only allows 'Aged Persons Homes', this use could still occur under the proposed 2(a) Residential zone by way of the SEPP (Housing for Seniors and People with a Disability) 2004.

Based on the above, the need for the PP is considered to be justified.

Consistency with
strategic planning
framework :

Central Coast Regional Strategy:

The PP is broadly consistent with the CCRS because the PP would potentially help deliver dwellings in an existing urban area (Actions 4.6 and 4.10). Given the size of the site however, a substantial number of dwellings is not anticipated.

Local Strategies:

Council states that the PP is consistent with the following local strategies.

- Community Strategic Plan
- Biodiversity Strategy
- Draft Residential Strategy

State Environmental Planning Policies:

The PP is not inconsistent with any of the relevant SEPPs at this time.

s117 directions:

The PP is consistent with the relevant s117 directions except direction 3.1 which requires further discussion.

The PP is inconsistent with direction 3.1 Residential Zones because the PP (and GPSO) does not contain provisions prohibiting residential development until servicing arrangements are in place. A PP may be inconsistent however if the DG agrees that the inconsistency is of minor significance. In this case, the DG should agree that the inconsistency is minor because Council's Residential Subdivision DCP contains servicing provisions.

In relation to direction 4.4 Planning for Bushfire Protection - Council reports that while the site is not bushfire prone, consultation with the RFS is needed in order to satisfy this direction. However it is not clear whether this direction applies. The site is not bushfire prone and it is unclear whether it lies 'in proximity to land mapped as bushfire prone land' being 80 m from the nearest bushfire prone land and 40 m from the associated buffer areas. Council should reconfirm whether this direction applies, and if so, consult with the RFS. The PP should be updated accordingly.

Environmental social
economic impacts :

Council does not anticipate any significant environmental issues arising from the PP.

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Council states that more localised impacts such as tree removal and drainage would be addressed at the DA stage.

The Regional Team concurs with this conclusion.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 Month** Delegation : **DDG**

Public Authority
Consultation - 56(2)(d)
:

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_Letter.pdf	Proposal Covering Letter	Yes
Council_Report.pdf	Proposal	Yes
Planning_Proposal.pdf	Proposal	Yes
Council_Resolution.pdf	Proposal	Yes
Applicants_Planning_Proposal.pdf	Study	No

Planning Team Recommendation

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

S.117 directions: **2.2 Coastal Protection**
3.1 Residential Zones
3.4 Integrating Land Use and Transport
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Additional Information : It is recommended that the following conditions be added so that the PP may proceed:

- include a map showing the proposed new GPSO zoning of the site;
- reconfirm whether direction 4.4 applies, and if so, consult with the RFS and update PP accordingly;
- 14 day community consultation period; and
- 6 month completion timeframe.

The DG should agree that the PP's inconsistency with s117 direction 3.1 Residential Zones is of minor significance.

Supporting Reasons :

Signature:

GARRY HOPKINS

Printed Name:

GARRY HOPKINS

Date:

15.8.2012