

Gloucester Local Environmental Plan 2010 - Amendment No.2 - Housekeeping

Proposal Title : **Gloucester Local Environmental Plan 2010 - Amendment No.2 - Housekeeping**

Proposal Summary : **The Planning Proposal seeks to carry out 4 administrative amendments to Gloucester LEP 2010.**

Item 1: Rezone a council owned site through amendment to Land Zoning Map sheet LZN 009 from RE1 Public Recreation to R2 Low Density Residential to facilitate the development of an aged care facility. There is no need to reclassify this land which is already classified as operational.

Item 2: Amend the Floor Space Map sheet FSR 009 to provide a FSR for the land zoned residential in Item 1

Item 3: Amend permissible uses in the land use tables for IN1, RU1, B2 and E3 zones.
- IN1 in order to facilitate the relocation and expansion of the local hardware and building supplies store from the town centre.
- IN1, RU1, B2 and E3 zones to reflect changes identified as required for consistency with existing uses and uses previously permissible under the former LEP 2000 and to not unnecessarily restrict development.

Item 4: Correct a zone boundary mapping error in LZN 009. This amendment affects R2 and E2 zoned land.

PP Number : **PP_2012_GLOUC_001_00** Dop File No : **11/19117**

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 3.1 Residential Zones**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.4 Planning for Bushfire Protection**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**

Additional Information :

- 1. 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 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).**
- 2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**
 - Office of Environment and Heritage for protection of conservation zones.**

The 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.

3. 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).

However it is required, in relation to Items 1 & 2, that Council's ownership of the subject site and its intended use is made clear to the public through exhibition.

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

5. Noting that the Director General has agreed to inconsistencies with Directions 1.1 Business and Industrial Zones and 2.1 Environment Protection Zones and agrees to the reduction in the reservation of land for public purposes as per direction 6.2 Reserving Land for Public Purposes.

Supporting Reasons : The proposal seeks to make a number of minor changes to the LEP 2010, the majority of which reflect administrative matters. The two amendments that will result in more substantial change seek to facilitate an aged care development (Item 1 and 2) and facilitate the relocation and expansion of a hardware supplies shop (Item 3). It is considered that these changes are beneficial for the planning administration within Gloucester LGA, the provision of adequate housing options and ongoing economic development.

Panel Recommendation

Recommendation Date : 13-Dec-2012

Gateway Recommendation : Passed with Conditions

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

1. Prior to commencing public exhibition, Council is to amend the planning proposal to identify the ownership of land in Item 1, being Lot 4, DP 582158 and Lot 106, DP 861914, Clement Street, Gloucester. Council is to advise of the intended future use of this land.
2. Council is to consult with the Office of Environment and Heritage to demonstrate consistency with S117 Direction 2.1 Environmental Protection Zones and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
3. 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 and Infrastructure 2012) 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

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

- Office of Environment and Heritage

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.

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5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Neil McGowan

Date: _____

18.12.12