

UMINA BEACH, 12 Alfred Street & 1 Bullion Street

Proposal Title : **UMINA BEACH, 12 Alfred Street & 1 Bullion Street**

Proposal Summary : **The proposal seeks to include Lots 46 and 47 Section A DP8872 in the Land Reservation Acquisition Map for the purposes of public car-parking.**

PP Number : **PP_2015_GOSFO_006_00**

Dop File No : **15/06768**

Proposal Details

Date Planning
Proposal Received : **17-Apr-2015**

LGA covered : **Gosford**

Region : **Hunter**

RPA : **Gosford City Council**

State Electorate : **GOSFORD**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **12 Alfred Street and 1 Bullion Street**

Suburb : **Umina Beach** City : Postcode :

Land Parcel : **Lots 46 and 47 Section A DP8872**

DoP Planning Officer Contact Details

Contact Name : **Glenn Hornal**

Contact Number : **0243485009**

Contact Email : **glenn.hornal@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Brian McCourt**

Contact Number : **0243258260**

Contact Email : **brian.mccourt@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**

UMINA BEACH, 12 Alfred Street & 1 Bullion Street

MDP Number :

Date of Release :

Area of Release (Ha) : 0.00

Type of Release (eg Residential / Employment land) : N/A

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 : **Yes**

If No, comment :

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

If Yes, comment :

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Adequacy Assessment**Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**

Comment : Council states its objective is to include 2 lots in the Land Reservation Acquisition Map for the purposes of off-street public car-parking.

Explanation of provisions provided - s55(2)(b)Is an explanation of provisions provided? **Yes**

Comment : Council states it proposes to amend the Land Reservation Acquisition Maps to include the subject lands.

There is currently no map tile and a new Land Reservation Acquisition Map tile LRA_016A will need to be created to identify the 2 lots.

The planning proposal will also require an amendment to clause 5.1 'Relevant acquisition authority' which requires a new entry to subclause 5.1(2) to identify the B2 land for car-parking and Council as the acquiring authority. Council should update the 'explanation of provisions' accordingly.

Justification - s55 (2)(c)a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport**5.1 Implementation of Regional Strategies****6.1 Approval and Referral Requirements**

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

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

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **N/A**

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

SEPP 71 - Coastal Protection

The land is located within the coastal zone and clause 7 of the SEPP requires matters for consideration set out in clause 8 should be taken into account by a council when it prepares a draft local environmental plan. Council should consider the requirements of clause 8 and update the planning proposal accordingly prior to exhibition.

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain :

1.1 Business and Industrial Zones

The direction applies as the planning proposal affects land within a business zone and it must not reduce the total potential floor space for employment uses. Council seeks to acquire the B2 land for car-parking purposes and identify the lots on the Land Reservation and Acquisition Map. Technically this could mean a reduction in the potential floor space when developed for car-parking purposes. However the underlying zone will not change and therefore the business potential of the land will be retained. The acquisition of the two lots will result in the loss or relocation of the existing businesses on the site however Council consider this is minor given the amount of business zoned land created through Gosford LEP 2014 in Umina Village Centre. It is considered any inconsistency with the direction is of minor significance.

2.2 Coastal Protection

Council has not considered the direction as applicable however the direction applies as the land is located within the coastal zone. The acquisition of land for car-parking purposes is not inconsistent with direction as Gosford LEP 2014 contains provision 5.5 Development within the coastal zone which requires consideration of NSW Coastal Policy.

3.4 Integrating Land Use and Transport.

The direction applies as the proposal creates a provision that relates to urban land. The 2 lots to be acquired are located within Umina Beach Village Centre which is identified in the Central Coast Regional Strategy Centres hierarchy as a village. The provision of land for car-parking purposes in an identified centre is considered to be consistent with the direction.

4.1 Acid Sulfate Soils

This direction applies as the land is identified as having a probability of containing Acid Sulfate Soils (class 4). Given the proposal seeks to identify land for acquisition and Gosford LEP 2014 contains provisions (clause 7.1) to regulate development on Acid Sulfate Soils the inconsistency with the direction is considered to be of minor significance.

6.2 Reserving Land for Public Purposes

The direction applies as Council is the relevant planning authority and seeks to acquire land for car-parking purposes. Clause 4 requires the approval of the Secretary and Council is the acquisition authority. It is recommended the Secretary approve the identification of these sites on the Land Reservation Acquisition Map for car-parking purposes as it will provide necessary parking improvements to accommodate the expansion of the business zone in the Umina Beach Village Centre.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The mapping is sufficient for assessment. A new Land Reservation Acquisition Map map tile LRA_016A will need to be created to identify the site.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment : Council proposes a 28 community consultation period. This is supported.

Additional Director General's requirements

Are there any additional Director General's requirements? Yes

If Yes, reasons : **TIMELINE**
Council anticipates the plan to be finalised in October 2015 (approximately 6 months).
The timeframe for completion is supported.

DELEGATIONS
Council has requested delegations to make the plan. This is supported.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The planning proposal seeks to amend Gosford LEP 2014.

In addition to the ~~the~~ new map tile to identify the sites to be acquired clause 5.1 Relevant acquisition authority also identifies the type of land shown on the map and the relevant authority to acquire the land under subclause (2). The subclause will require a new entry for the B2 land for car-parking and Council as the acquiring authority.

Assessment Criteria

Need for planning
proposal :

Council has advised the Peninsula Urban Directions Strategy supported objectives and actions of the Central Coast Regional Strategy and the Umina Beach Transport Management and Accessibility Plan identified parking improvements necessary to accommodate the expansion of the business zone for the Umina Beach Village Centre. The documents were not provided with the planning proposal and do not appear to be available on Council's website. Council should make the documents available to support the planning proposal during exhibition.

The gazettal of Gosford LEP 2014 resulted in an expansion of the business zone at Umina Beach Village Centre and to accommodate the expansion additional car parking is required.

The 2 lots required for acquisition adjoin an existing car-park in Umina Beach Village Centre and are being used as professional consulting rooms. The Land Acquisition (Just Terms Compensation) Act 1991 will apply when the land is designated for car-parking purposes and Council will be required to acquire the land for the market price. Council should consult directly with the landowners of the 2 lots during public exhibition.

Consistency with
strategic planning
framework :

CENTRAL COAST REGIONAL STRATEGY (CCRS)
Council has stated the proposal will provide some of the necessary infrastructure to support the growth of a key centre (Umina Beach) and is consistent with the CCRS.

GOSFORD 2025 - COMMUNITY STRATEGIC PLAN
Council has stated the proposal is consistent with its local strategies which include the aims of supporting local centres.

Environmental social
economic impacts :

ENVIRONMENT

There are no specific environmental impacts that are affected by the acquisition.

SOCIAL/ECONOMIC

The social and economic effects are minimal however may provide some additional economic activity from additional patronage to Umina Village Centre.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

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
Planning Proposal.pdf	Proposal	Yes
Timeline .pdf	Proposal	Yes
Council Resolution.pdf	Proposal	Yes
Council Report.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.4 Integrating Land Use and Transport**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**

6.3 Site Specific Provisions

Additional Information : **The planning proposal should proceed subject to the following conditions:**

- 1. Prior to undertaking public exhibition Council is to update the 'explanation of provisions' to:**
 - identify that an amendment to clause 5.1 Relevant acquisition authority will be required which identifies the B2 Local Centre land for car-parking purposes and Council as the acquiring authority.**
- 2. Council is to include a Land Reservation Acquisition Map which identifies the land to be acquired.**
- 3. Council is to ensure that the owners of Lots 46-47 Section A DP8872 are consulted with directly as part of the public exhibition of this planning proposal.**
- 4. Council is to ensure the Peninsula Urban Directions Strategy and Umina Beach Transport Management and Accessibility Plan referenced in the planning proposal is ^{are} available for review when the planning proposal is exhibited.**
- 5. Council is to include consideration of the requirements of clause 8 in SEPP 71 - Coastal Protection and update the planning proposal accordingly prior to exhibition.**
- 6. The Secretary agrees that the provisions of the planning proposal that are inconsistent with S117 Directions 1.1 Business and Industrial Zones and 4.1 Acid Sulfate Soils are of minor significance.**
- 7. The Secretary agrees to the creation of land for carparking purposes under S117 Direction 6.2 Reserving Land for Public Purposes.**
- 8. No consultation with public authorities is required.**
- 9. 6 months timeframe.**
- 10. 28 day exhibition period.**
- 11. Council be granted delegation to make the plan.**

Supporting Reasons : *

Signature:



Printed Name:

G P HOPKINS

Date:

7 May 2015