

Chisholm Neighbourhood Centre and recreation facilities (indoor) permitted with development consent in the B1 zone

Proposal Title : **Chisholm Neighbourhood Centre and recreation facilities (indoor) permitted with development consent in the B1 zone**

Proposal Summary : **The planning proposal (PP) would change the planning controls in the Maitland Local Environmental Plan 2011 (LEP) for the Chisholm centre by:**
- expanding the land zoned B1 Local Centre;
- removing the height of buildings and minimum lot size controls over the expanded site; and
- applying a new floor space ratio of 0.3:1 over the expanded site.

The PP would also permit recreation facilities with development consent in the B1 Neighbourhood Centre zone of the LEP.

PP Number : **PP_2016_MAITL_005_00** Dop File No : **16/14929**

Proposal Details

Date Proposal Lodged with DOP : **21-Nov-2016** Date Proposal Uploaded to Public Website : **09-Dec-2016**

Proposal Assessment

Is Public Hearing Required by PAC? **No**

Agencies Requested to Consult : **None**

Gateway Determination

Decision Date : **09-Dec-2016** Gateway Determination : **Passed with Conditions**

Due Date of LEP : **16-Sep-2017**

Implementation

Implementation Start Date : **16-Dec-2016** Exhibition Duration : **29**

Agency consultation consistent with recommendation : **Yes**

If No, comment : **Not Applicable**

Agency Objections : **No**

If Yes, comment : **N/A**

Documentation consistent with Gateway : **Yes**

If No, comment : **Proposal**
The amendment proposes to make mapping changes and add a permissible use to the Land Use Table for the B1 zone.
In summary, the PP:
- extends the B1 zone across the adjoining 0.3 ha of R1 zoned land, increasing the size of the B1 site from 3.9 ha to 4.2 ha;

Chisholm Neighbourhood Centre and recreation facilities (indoor) permitted with development consent in the B1 zone

- removes the 8m height limit that applies to part of the existing B1 zoned site so that no height limit applies;
- applies a floor space ratio of 0.3:1 across the 4.2 ha site (currently a 0.5:1 FSR applies to part of the existing B1 zoned site).
- includes 'recreation facilities (indoor)' as permitted with development consent in the B1 zone enabling gyms and like to be located in the centre.

The PP considered different alternative options for achieving the same outcome, however the simplest and most transparent approach was taken, to:

- allow heights to be determined through merit assessment as part of the development application process which is appropriate due to the variation in topography across the site.
- change the FSR to reduce the permitted floor space for development on the site such that it aligns with that originally envisaged for the centre when the B1 zone was first applied to the site. The FSR standard would limit the site to 12,600 sq.m which is similar to the 12,500 sq.m originally intended.
- amend the Land use table to include 'recreation facilities (indoor)' as permitted with development consent in the B1 zone.

Consistency with Gateway determination

A Gateway determination was issued on 9 December 2016 to proceed with the proposal subject to conditions.

Council amended the planning proposal to include compliance with conditions 1 (a), (b) and (c) prior to exhibition.

As outlined under, community consultation was also undertaken consistent with the determination.

All gateway conditions have been met.

Consultation

The Planning Proposal was exhibited from 17 February to 17 March 2017. No state agency consultation was required with this proposal and one submission was received supporting the proposal during the exhibition period.

Section 117 Directions

Inconsistency with the following directions were considered as minor significance in the issuing of the Gateway determination:

1.1 Business and Industrial Zones. Inconsistency with this direction is considered of minor significance (subclause 5d).

3.1 Residential Zones - The loss of a small amount of residential zoned land is considered to be of minor significance (subclause 11d).

SEPP's

Council states that no SEPPs are relevant to this PP. The Department agrees with this assessment.

Make the Plan

A PC opinion was requested 6 June 2017 and received 27 June 2017 which included time to address issues around the land description.

Council was consulted in accordance with s59(1) and accepted the drafted instrument.

The plan can now be finalised.

LEP Assessment

Date Received from RPA : 08-May-2017

LEP Determination	
	<u>DatePublishNotification</u>
Date sent to Parliamentary Council to Draft LEP :	06-Jun-2017
Determination Date :	Determination Decision :
Notification Date :	