

**Amendment to Gosford PSO to rezone land from 2(b) Residential to 3(a) Business (General) at Painters Lane, Terrigal**

|                    |                                                                                                                                                                                                                                                                                                      |               |          |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------|
| Proposal Title :   | Amendment to Gosford PSO to rezone land from 2(b) Residential to 3(a) Business (General) at Painters Lane, Terrigal                                                                                                                                                                                  |               |          |
| Proposal Summary : | To rezone land from 2(b) Residential to 3(a) Business (General) at Lot 3 DP 829025, 6-8 Painters Lane, Terrigal and assign a height limit of 23.6m and a floor space ratio of 2.3:1 to facilitate the redevelopment of the site and adjoining sites for retail, commercial and residential purposes. |               |          |
| PP Number :        | PP_2012_GOSFO_001_00                                                                                                                                                                                                                                                                                 | Dop File No : | 11/22519 |

**Planning Team Recommendation**

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

- S.117 directions :
- 1.1 Business and Industrial Zones
  - 2.2 Coastal Protection
  - 2.3 Heritage Conservation
  - 3.1 Residential Zones
  - 3.4 Integrating Land Use and Transport
  - 5.1 Implementation of Regional Strategies
  - 6.1 Approval and Referral Requirements
  - 6.3 Site Specific Provisions

Additional Information : Council is to clarify prior to public exhibition of the PP whether the Rapedo lots (identified on the Buiding Height Map as RL5 in DLEP) were intended to be eligible for the bonus height and FSR standards in clause 7.8 upon gazettal of the of the draft Gosford LEP 2011.

-Council to consider and provide justification prior to exhibition as to why the subject lot is not included in the Terrigal Town Centre precinct and be subject to the same development controls.

-Council are required to provide justification that the provisions of the PP that are inconsistent with the direction 2.2 Coastal Protection are of minor significance.

-Council are required to provide justification that the provisions of the PP that are inconsistent with the direction 6.3 Site Specific Provisions are of minor significance

-No agency consultation required.

-Community consultation for 14 days.

-6 month timeframe.

Supporting Reasons : -The PP seeks to bring forward height and FSR standards in the DLEP however has not confirmed whether the Rapedo site will also be eligible for the bonus height and FSR after gazettal of the DLEP.

-Council has not considered including the site in the Terrigal Town Centre precinct.

-The PP is inconsistent with s117 Direction 2.2 Coastal Protection.

-The PP is inconsistent with s117 Direction 6.3 Site Specific Provisions.

-No agencies affected by the rezoning.

-The proposal is a routine low impact proposal.

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at Painters Lane, Terrigal**

-The timeframe will allow the PP to either amend the Gosford PSO or become obsolete if the Principal LEP is gazetted first.

**Panel Recommendation**

Recommendation Date : **25-Jan-2012**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

**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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) 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 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:**

- Roads and Traffic Authority

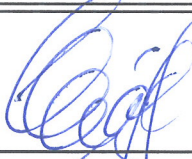
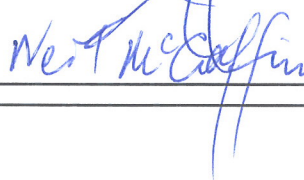
Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

**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).**

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

Signature:

Printed Name:

  
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 Date: 31.1.12