

Amendment to permit caravan parks and relocatable/ manufactured homes at Erina.

Proposal Title : Amendment to permit caravan parks and relocatable/ manufactured homes at Erina.

Proposal Summary : The proposal is to permit caravan parks and relocatable/ manufactured homes on land currently zoned 2(c) Residential in the Gosford Planning Scheme Ordinance (GPSO). The site is located at 75-83 Karalta Road, Erina.

PP Number : PP_2012_GOSFO_006_00 Dop File No : 12/04997

Planning Team Recommendation

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

S.117 directions : 2.2 Coastal Protection
 2.3 Heritage Conservation
 3.1 Residential Zones
 3.2 Caravan Parks and Manufactured Home Estates
 4.3 Flood Prone Land
 4.4 Planning for Bushfire Protection
 5.1 Implementation of Regional Strategies
 6.1 Approval and Referral Requirements
 6.3 Site Specific Provisions

Additional Information : It is suggested that the following conditions could be applied in order to progress the PP in the form submitted by Council:

- Council be satisfied that the requirements of SEPP 55 relating to undertaking a preliminary investigation per the contaminated land planning guidelines has occurred and make this clear in the planning proposal;
- Council be satisfied that the proposal is consistent with s117 directions 3.2 and 4.3 and if not, seek the DG's agreement to any inconsistency;
- consult with the RFS per s117 Direction 4.4;
- consult with OEH under s.34A;
- consider SEPP 19 in the PP;
- include discussion on whether cl. 49DL of the Gosford Planning Scheme Ordinance would apply to the site.

In order to progress the PP without site specific provisions, the PP should be further amended as follows:

- amend the proposal such that "camping ground or caravan park" is permissible with development consent in the 2(c) zone in the Gosford Planning Scheme Ordinance (or "caravan parks" in the R1 General Residential zone in the comprehensive LEP);
- update the PP to reflect the above amendment including explanation of provisions, mapping, consideration of 117 directions and SEPPs and determine if any additional agencies should be consulted;
- 28 days community consultation; and
- 6 month timeframe.

Supporting Reasons : - ensure SEPP 55 is satisfied and that this is clear to the community

- to determine consistency with s117 directions 3.2 and 4.3 as it is currently not clear in the planning proposal
- consult with the RFS to determine consistency with s117 direction 4.4
- presence of EEC triggers requirement for consultation with OEH
- SEPP 19 applies
- cl. 49DL is an existing clause that applies to other similar developments in Gosford.

- amend the 2(c)/R1 zone in line with the Department's current position on enabling clauses

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- update relevant sections of the PP to reflect the broadening of the PP to include a new use across the R1 zone
- community consultation and time frame consistent with complexity of the proposal.

Panel Recommendation

Recommendation Date : 29-Mar-2012

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to amend the planning proposal to assess the intended outcome of the proposal against the objectives of SEPP 19 Urban Bushland. In doing so, Council is to address the requirements of the policy and amend the planning proposal to reflect the outcomes of the assessment.
2. Council is to identify whether it intends to apply cl 49DL of the existing Gosford Planning Scheme Ordinance to the site as part of this planning proposal. The planning proposal is to be amended to reflect this decision.
3. The planning proposal is unclear as to whether a preliminary assessment into land contamination has been undertaken. Therefore, Council is to amend the planning proposal to clarify whether the site is suitable for the proposed use, and that the land will be so remediated as required by State Environmental Planning Policy 55 – Remediation of Land.
4. Council is to demonstrate that the requirements of State Environmental Planning Policy 36 – Manufactured Housing Estates, and S117 Direction 3.2 Caravan Parks and Manufactured Home Estates, in relation to development in flood prone areas and on sites containing identified remnant vegetation have been addressed, by amending the planning proposal prior to public exhibition.
5. 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 28 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).
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW Rural Fire Service

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.
7. Council is also required to provide further justification for the proposal in relation to S117 Direction 4.3 Flood Prone Land.
8. Further to Condition 6 above, Council is to consult with the Chief Executive Officer of the Office of Environment and Heritage and demonstrate consistency with the requirements of S117 Direction 2.1 Environmentally Sensitive Land, prior to undertaking community consultation. In doing so, Council is to determine the extent of environmentally sensitive land and amend the planning proposal to reflect the outcomes of the assessment.
9. Further to Condition 6 above, Council is to consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation and take into account any

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comments made as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection.

10. Following completion of any additional work and public authority consultation as required by this Gateway determination, Council is to amend the planning proposal, if required, and undertake an assessment of the revised planning proposal against the relevant S117 Directions.

11. 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).

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

Signature: _____

Printed Name: _____

Date: _____

Olivia Giovanni Crillo