

Additional permitted use for a medical centre at Niclins Rd, Mangrove Mountain

Proposal Title :	Additional permitted use for a medical centre at Niclins Rd, Mangrove Mountain		
Proposal Summary :	The planning proposal would permit a medical centre at lot 981 DP 862346 being 40-60 Niclins Road, Mangrove Mountain. Council proposes this occur as an additional permitted use in the Interim Development Order 122 (IDO 122). Council proposes that the LEP provision would sunset and that a floor space limit for the medical centre and associated buildings apply.		
PP Number :	PP_2013_GOSFO_002_00	Dop File No :	13/04635

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 1.3 Mining, Petroleum Production and Extractive Industries 2.1 Environment Protection Zones 2.2 Coastal Protection 3.4 Integrating Land Use and Transport 4.4 Planning for Bushfire Protection 5.1 Implementation of Regional Strategies 6.1 Approval and Referral Requirements 6.3 Site Specific Provisions
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Additional Information :	The following conditions are recommended in order to advance the PP: - reference to amending clause 93 in the IDO 122 in the Objectives and Explanation of Provisions should be removed; - the existing IDO 122 medical centre definition should be referred to in the Explanation of Provisions; - the Explanation of Provisions should note that the PP may amend the finalised SI LEP; - include an updated zone map that clearly identifies the site and surrounding properties; - support for proposed sunset provision; - no floor space cap is to apply; - update consistency assessment with the relevant SEPPs (SEPP 55 Remediation of Land, SREP 8 Central Coast Plateau Areas and SREP 20 Hawkesbury-Nepean River); - undertake consultation with the RFS and update s117 direction 4.4 accordingly; - consult with DPI (Agriculture) and T&I (Mineral Resources and Energy); - 28 day consultation period; - 6 month completion timeframe.
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It is recommended the DG (or delegate) agree that any inconsistencies with directions 3.4 Integrating Land Use and Transport, 5.1 Implementation of Regional Strategies and 6.3 Site Specific provisions are of minor significance.

It is recommended the Gateway determine that the PP is a matter of local significance and issue delegation to the Council.

Supporting Reasons :

Panel Recommendation

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Recommendation Date : **21-Mar-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

- 1. Council is to consider permitting medical centres in zone 1(a) Rural (Agriculture) under Gosford IDO No 122 or equivalent rural zone under its draft LEP as an alternative to using additional permitted uses. If the above approach is supported, Council is to amend the planning proposal accordingly. Council's proposed provision to cap the floor area of the medical centre and adjoining shed via the use of additional permitted uses is not supported because the scale of these facilities are more appropriately determined through merit assessment.**
- 2. Prior to undertaking public exhibition, the planning proposal is to be updated to:**
 - (a) replace the definition of 'medical centre' currently included in the planning proposal with the definition of 'medical centre' from Gosford IDO No 122,**
 - (b) remove reference to amending Clause 93 of IDO 122 because it may limit drafting options once the proposal is submitted to Parliamentary Counsel's Office for drafting,**
 - (c) advise that the planning proposal may amend the draft Gosford LEP, in the event the draft LEP is notified prior to the making of this planning proposal,**
 - (d) update the consideration of S117 Directions and consideration of State Environmental Planning Policies (SEPPs) to include SEPP 55 - Remediation of Land, Sydney Regional Environmental Plan (SREP) 8 - Central Coast Plateau Areas and SREP 20 - Hawkesbury-Nepean River,**
 - (e) advise that a sunset provision will be included in the proposal, and**
 - (f) include an updated existing Land Zoning Map, which is at an appropriate scale and clearly identifies the subject site.**
- 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 must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).**
- 4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:**
 - Department of Trade and Investment (Mineral Resources and Energy)**
 - Department of Primary Industries (Agriculture) (S117 Direction 1.2 Rural Zones)**
 - NSW Rural Fire Services (S117 Direction 4.4 Planning for Bushfire Protection)**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
- 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 6 months from the week following the date of the Gateway determination.**

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Signature: _____

Printed Name: _____

Date: _____



Neil McGuffin

26.3.13