

Exhibition of Planning Proposal, Reeves Street, Somersby (PP-2023-2340)

The Planning Proposal seeks to rezone 124.08 ha of land to increase the environmental protection of the area and future-enable the creation of 14 dwellings.

Site Description

The site is located to the south of Reeves Street, Somersby (Lot 481 DP 1184693). The site is bound by Reeves Street (north), the M1 Pacific Motorway (west), and bushland (south and east) and has a total area of 178.5 hectares. There are a small number of large residential lots to the north of Reeves Street and a small cluster of residential lots north-east of the site.



Figure 1 - Aerial photo of the site highlighted red (Source: Nearmap, 2024)

The site is currently undeveloped and is identified in the Darkinjung Development Delivery Plan, which seeks to deliver economic benefits and social and environmental outcomes for the Darkinjung Local Aboriginal Land Council (DLALC).

Development delivery plans promote strategic and independent planning decisions for Aboriginal Land Councils (ALC), and consider regional strategic plans, as well as the ALC's community, land and business priorities.

What the planning proposal will do

The planning proposal seeks to amend the Central Coast Local Environmental Plan 2022 to rezone:

- 19.48ha of the site from RU2 Rural Landscape to C4 Environmental Living;
- 104.35ha from RU2 Rural Landscape to C2 Environmental Conservation;
- 0.27ha from C2 Environmental Conservation to C4 Environmental Living; and
- apply a 1ha minimum lot size to the proposed C4 Environmental Living land.

The proposal seeks to enable up to 14 dwellings on the site, which are located on a limited northern portion of the site opposite existing dwellings on Reeves Street. The remaining 54.4ha of the site is not subject to change and will remain zoned C2 Environmental Conservation.

DLALC are progressing a Biodiversity Certification Assessment Report alongside the Planning Proposal.

What is a planning proposal?

A planning proposal (or "PP") explains the intended effects of proposed amendments to a local environmental plan (LEP). It describes the intended outcomes and proposed LEP provisions, identifies and addresses the potential impacts that the changes may have and provides justification for making the LEP.

A planning proposal is a key part of the LEP making process because it describes how a new or amended LEP will 'give effect' to strategic and site-specific planning outcomes. It is the first step in making the statutory link between strategic plans and planning controls which apply to development.

Note: Any physical development of the land occurs under separate planning processes.

What is a LEP?

A LEP provides a statutory framework for the way land can be developed and used.

A LEP contains land use zones which establish where residential, commercial, recreation and other uses can occur. It has development controls for buildings and land, including controls for maximum building heights, floor space, subdivision and lot size.

LEPs also include provisions which address local matters, hazards and constraints, such as flooding, protection of biodiversity, heritage conservation, or land that is being reserved by the government to build more public infrastructure in the future.

A LEP is made under the Environmental Planning and Assessment Act 1979.

What are the Hunter and Central Coast Regional Planning Panel and the Department's role in the process?

The Council's role for this planning proposal

Despite the Hunter and Central Coast Regional Planning Panel (The Panel) being the PPA for this planning proposal, Council continues to be a key stakeholder. On 7 May 2024, Council made a submission on the planning proposal which is part of the exhibition package.

Hunter and Central Coast Regional Planning Panel

The Panel acts as the independent body for reviewing a planning proposal subject to an Independent Aboriginal Review under State Environmental Planning Policy (Planning Systems) 2021 in the Central Coast local government area. This review process provides ALCs an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan, including DLALC with the Darkinjung Development Delivery Plan.

On 10 November 2023, the Panel determined that the proposal demonstrated strategic and site-specific merit and should proceed to Gateway determination. The Panel was appointed as the Planning Proposal Authority, and therefore is responsible for preparing the package of planning proposal documents for public exhibition and undertaking public consultation. The Panel will consider all agency (including Council) and public submissions on the planning proposal prior to making a decision about whether the planning proposal should proceed to finalisation.

Government Agencies

In accordance with the Gateway determination, relevant government agencies have been consulted on the planning proposal. A summary of their submissions can be found in the planning proposal report.

The Department's role for this planning proposal

The Department assesses and guides planning proposals through the LEP making process. This includes active management of the planning proposal through the LEP making process, issue resolution, and finalising the LEP.

On 24 November 2023, the planning proposal was submitted to the Department for a Gateway determination. An assessment of the proposal was undertaken, and a Gateway determination was issued on 22 December 2023 stating the proposal should proceed subject to conditions, including public exhibition of the proposal.

A final assessment of the planning proposal will be undertaken by the Department after public exhibition. At this stage, further amendments to the proposal may be made in response to matters raised by community members or public authorities. The Department as the delegate of the Minister, is the Local Plan-Making Authority and will determine if the LEP amendment will be made.

Additional information about the planning proposal and aboriginal land planning

More information about the process for Aboriginal land use planning, the Darkinjung Local Aboriginal Land Council and the proposal can be found at: <https://www.planning.nsw.gov.au/plans-for-your-area/regional-plans/central-coast>

How to make submissions

Submissions on the planning proposal should be made to the Department through the NSW Planning Portal. Go to <https://www.planningportal.nsw.gov.au/ppr/under-exhibition/reeves-street-somersby>

Your submission must be lodged by 5pm on **Wednesday 11 December 2024** and must include:

- if the submission relates to the planning proposal
- a statement on whether you support or object to the proposal; and
- the reasons why you support or object to the proposal.

Persons lodging submissions must declare reportable political donations (including donations of \$1000 or more) made in the previous two years.

Your personal information is protected under the Privacy and Personal Information Act 1998.

We may publish any personal information you have included in your submissions on a proposal. Do not include any personal information in your submission that you do not want published. If you do not want your name and address to be made public, please ensure you tick the relevant box and clearly state this on the front page of your submission. Making a submission is entirely voluntary and you are under no obligation to provide us with any of your personal information, except as otherwise required by law. Please see further privacy information on the Department's website at:

<https://www.planning.nsw.gov.au/privacy#:~:text=The%20department%20will%20not%20disclose,the%20department's%20Privacy%20Management%20Plan>

Who should I direct my Planning Proposal inquiries to?

For questions relating to the planning proposal, please contact the Planning Proposal Authority team at planningproposalauthority@dphi.nsw.gov.au

What is a Planning Proposal Authority (PPA)?

In the planning proposal process, the PPA is responsible for preparing the package of planning proposal documents and submitting them to the Department for a Gateway determination.

A Gateway determination is an approval required before the proposal can proceed to public exhibition. This approval is usually subject to conditions.

The PPA is responsible for satisfying the conditions of the Gateway determination, public exhibition of the planning proposal, and finalisation. The Hunter and Central Coast Regional Planning Panel is the Planning Proposal Authority.

The planning proposal is the result of an Independent Aboriginal Review, as the land is subject to the Darkinjung Development Delivery Plan 2022 made under the Planning Systems SEPP 2021.

What is a Local Plan-Making Authority (LPMA)?

The LPMA is the authority responsible for making the LEP as identified by the Gateway determination. This may be the Minister (or delegate) or the relevant council. The LPMA undertakes the statutory functions in making the LEP.