

RECORD OF PLANNING PROPOSAL PRE-LODGEMENT MEETING



COMMENTS ARE ONLY PROVIDED BY PROFESSIONAL STAFF ATTENDING THE MEETING.

PRE-LODGEMENT APPLICATION DETAIL

Description of proposed development	Rezone land from RU1 Primary Production to IN1 General Industrial
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APPLICANT DETAIL

Name	Michael Fitzpatrick		
Phone No	0408 433 141	Email	willowbarn@bigpond.com

Date	9 November 2022	Time	10.00am
Venue	Online via Microsoft Teams		

PROPERTY DETAIL

Lot No	Lot 1	Sec		DP	DP 712505	Zonings	RU1 Primary Production
Address	126 Somersby Falls Road, Somersby						
Site Area	1.064 Ha						

ATTENDEES

Council Representatives

Name	Position	Phone Number
Scott Duncan	Section Manager Local Planning and Policy	0437 739 010
Bruce Ronan	Strategic Planner	0419 925 891

Applicant Representatives

Name	Position / Company	Phone Number
Mike Fitzpatrick	landowner	0408 433 141
Dick Sinclair	R J Sinclair Pty Ltd	0418 240 940

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PROJECT

The proposed amendment to Central Coast Local Environmental Plan 2022 is to rezone the land from RU1 Primary Production to IN1 General Industrial with a minimum lot size of 4,000m².

SITE DESCRIPTION AND LOCALITY

The subject land is 1.064 Ha in area, is generally cleared and is currently used for rural residential purposes (Figure 1). However over time it has become surrounded by Industrial zoned land with that Industrial land now being developed for industrial uses.



Figure 1 - Aerial Photo showing locality

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LAND ZONING

The land is currently subject to Central Coast Local Environmental Plan 2022 (CCLEP 2022). The site is zoned RU1 Primary Production as shown in Figure 2 and a minimum lot size of 20 Ha as shown in Figure 3.

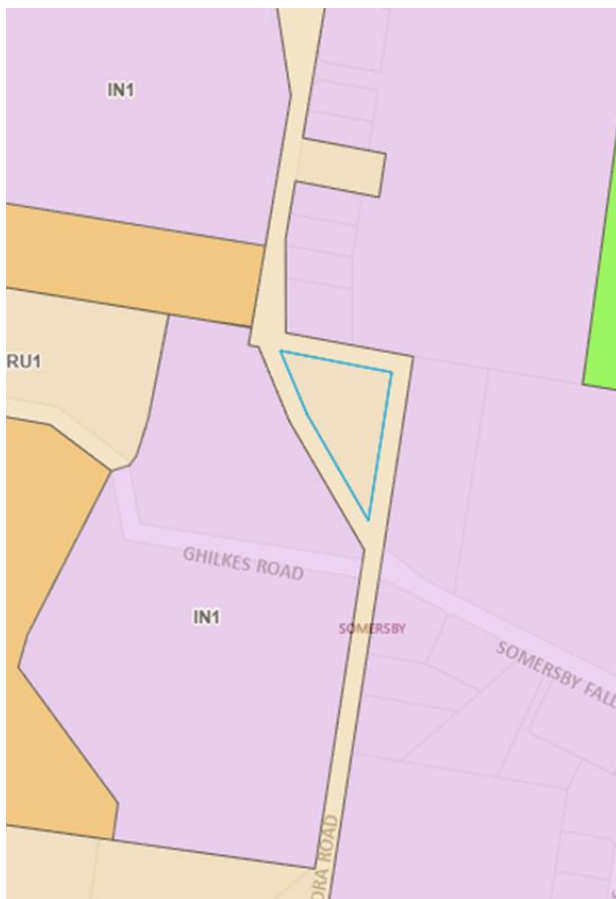


Figure 2 – Land Zoning



Figure 3 – Minimum Lot Size

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PLANNING

This lot was included in a Planning Proposal initiated by the former Gosford City Council in 2016 to zone miscellaneous land on the periphery of Somersby Business Park to IN1 General Industrial. In 2018 the Central Coast Council discontinued this Planning Proposal, in part, because not all the landowners wanted to fund the additional studies required.

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The situation has not changed since the time the 2016 Planning Proposal was initiated. The proposal to zone this isolated remnant of RU1 zoned land to IN1 like all adjoining lots has strategic planning merit.

In addition to the Preliminary Site Investigation Report, which has already been done, the following studies are also to be undertaken prior to lodgement of the Planning Proposal:

- Aboriginal Cultural Heritage Assessment
- Bushfire Strategic Plan

A Biodiversity Development Assessment Report (BDAR) is not required if Lot 1 DP 712505 is the only land being rezoned.

Water and sewer are available to the property. Water and Sewer Development Charges will be assessed at the Development Application stage.

Should the owner propose to zone the unused road reserve on the northern and/or eastern boundaries with the intention of consolidating such land into the developable land, the following matters would need to be addressed:

- A BDAR would be required. The unformed road reserve, particularly on the northern boundary of the site contains native vegetation and removal of this vegetation is likely to trigger entry into the biodiversity offset scheme and would require a BDAR to comply with the Biodiversity Conservation Act.
- With regards to the existing water main along the unformed road, a suitable easement shall be created to protect the existing water main. The easement shall be 5m wide where the main is located at the centre of the easement. The easement shall be accepted by Council and registered prior to rezoning of the land. Any future development on site will be required to relocate the water main along Somersby Fall Rd at the developer's cost.
- With regards to the gravity sewer main, any future development will be required to comply with Council Building in Proximity to Sewer Pipeline policy.
- Assessment of whether all or part of this road reserve provides, or is able to provide, access to neighbouring properties.
- A Planning Agreement would most likely be required to be prepared as part of the Planning Proposal process to ensure that the roads will be closed in accordance with Council's road



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closure procedure, that the road reserve will be consolidated with the developable land and that the water main easement will be registered as part of the land consolidation.

- For further information regarding the road closure and purchase of the unused road contact should be made with Council's Property Section. The contact in this section is:

Jamie Barclay, Unit Manager Economic Development and Property
jamie.barclay@centralcoast.nsw.gov.au

A Planning Proposal would need to be consistent with the objectives, aims and requirements of following strategic planning documents:

- Central Coast Regional Plan 2041
- State Environmental Planning Policies
- Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act, 1979
- Central Coast Local Strategic Planning Statement
- Central Coast Community Strategic Plan.

OTHER CONSIDERATIONS

Nil

PLANNING PROPOSAL LODGEMENT REQUIREMENTS

Council considers the Planning Proposal to be Standard under the Department of Planning and Environment's Planning Proposal Categories.

Council requires a Pre-Lodgement Review of draft Planning Proposals (PP) and supporting studies prior to formal lodgement of the PP on the ePlanning Portal. The pre-lodgement review aims to expedite the PP by ensuring all supporting documentation has adequately addressed the site constraints and proposal impacts. This will reduce the PP assessment time and/or the need for Council to return or refuse the PP. As part of the pre-lodgement review all supporting documents will be reviewed by Council's specialist staff with detailed feedback provided on any amendments necessary. This may also involve referral to relevant State Government agencies for consideration and comment. Council's fee for a pre-lodgement review of a standard planning proposal is \$5,874.00.



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Given the straight-forward nature of this Planning Proposal, it is considered that this review process is not required.

Payment of the Phase 1 fee of \$17,800 plus an Administration Fee of \$1,780.00 is required when a Planning Proposal is lodged on the Planning Portal. Should the proposal receive a Gateway Determination, payment of a Phase 2 fee of \$15,130 is required.

If you have any enquiries in relation to the above, please do not hesitate to contact Scott Duncan on 0437 739 010 or e-mail scott.duncan@centralcoast.nsw.gov.au

Officer - Signed:

A handwritten signature in black ink, appearing to be "B. Hanna".

Date: 9/11/22

Section Manager - Signed:

A handwritten signature in black ink, appearing to be "S. Duncan".

Date: 9/11/22