

143.2 PROPOSED DRAFT AMENDMENT TO THE GUNNEDAH LOCAL ENVIRONMENTAL PLAN, 1998

Manager Development & Planning Report

<u>POLICY</u>	Nil
<u>LEGAL</u>	Environmental Planning & Assessment Act, 1979 Gunnedah Local Environmental Plan, 1998
<u>FINANCIAL</u>	Nil

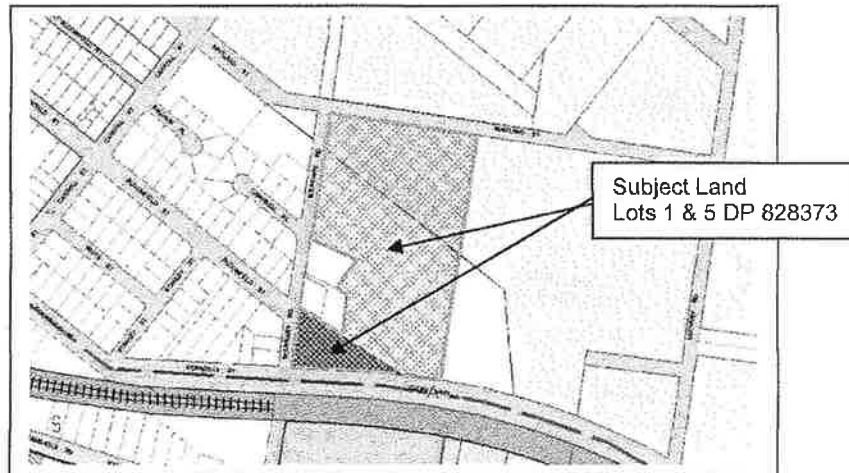
INTRODUCTION

Council has received a planning proposal for Lots 1 and 5 DP 828373 (1 Boundary Road, Gunnedah) on the 18 November 2010. The site is currently zoned 1(a) Rural (Agricultural Protection), 2(a) Residential and 9(a) Proposed Road under the provisions of the Gunnedah Local Environmental Plan, 1998. The applicant Bath, Stewart Associates, is seeking to rezone the subject land to 3(b) Business (General).

COMMENTARY

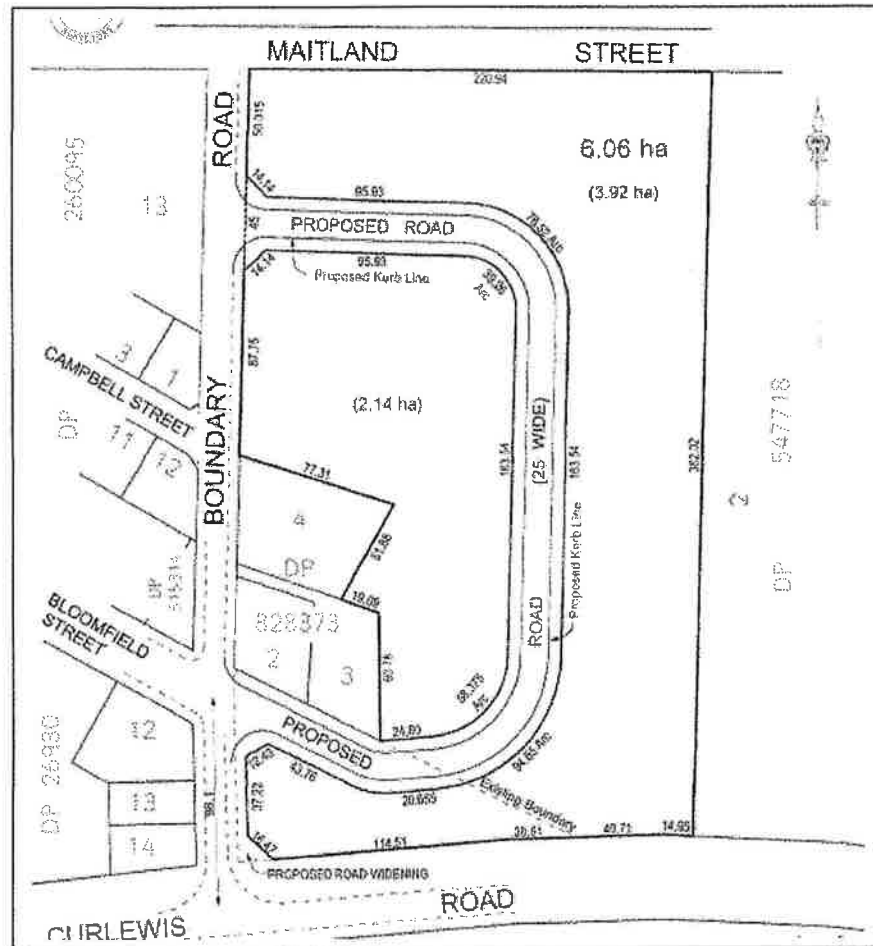
Context

The subject land adjoins land zoned 1(a) Rural (Agricultural Protection) and 2(a) Residential and is adjacent to Conadilly Street and the railway line. The site is currently vacant.



Proposal

The application is seeking the rezoning of the subject land from 1(a) Rural (Agricultural Protection), 2(a) Residential and 9(a) Proposed Road to 3(b) Business (General). The developer's ultimate objective is to establish a motor showroom and vehicle sales yard on the southern end of the site. Creating one internal road allows the residue of land to be subdivided to specifically cater for and accommodate businesses that require large allotments with special needs.



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Further correspondence also indicated that the proposed rezoning would allow for opportunities for the development of a fuel station, tyre dealership and bulky goods stores. This correspondence notes that 'these opportunities are not readily available or easily achieved at present in the land zoned for same and seemed to be a logical extension to the initial proposal'.

Justification for Proposal

The Planning Proposal aims to provide a large area for future commercial development, particularly bulky goods type development. The subject land has been chosen by the developer as it is a major gateway to Gunnedah and offers prominent highway exposure. The proposal states that 'all these extremely desirable attributes are in most cases mandatory when selecting new locations for motor showrooms and major bulky goods stores'.

The proposal notes that the area currently zoned for commercial development within the Gunnedah CBD contains a large number of individual lots, highly fragmented with an average lot area estimated at approximately 1000 square metres. It notes that future bulky goods development would require the consolidation of a considerable number of allotments, which are generally owned by separate individuals. Hence, a 'green field' site is more preferable in the short term and more economically viable.

However, the submitted documentation does not provide adequate justification for the proposal, as it does not address the CILUS criteria and in sections agrees with the strategy criteria. The documentation also provides conflicting arguments for the proposal and does not consider other development options, which are already appropriately zoned. The proposal also notes that there is no reason to suggest that a net community benefit would occur as a result of the proposed rezoning.

Relationship to Strategic Planning Framework

The Gunnedah Commercial and Industrial Land Use Strategy (CILUS), prepared by Collie Pty Limited, was adopted by Council in November 2008. The CILUS Strategy identified the need for additional retail and commercial space (based on the high growth scenario), particularly bulky goods type development. The Strategy recommended that this type of development be located within the West End Precinct.

The Strategy highlighted that the town centre is the commercial and social focus of Gunnedah and its district. Its structure, layout, design and amenity are critical components of its function and overall role in the community.

The proposal effectively creates a satellite commercial precinct. The proposal to zone the land for commercial purposes effectively permits a wide variety of business activities which would compete with the existing CBD framework. The rezoning of this land as proposed in the application would have significant negative effects on the existing business sector, potentially resulting in the migration of business to this satellite location. Two of the principal objectives the CILUS are:

- *The focus of the town centre is to provide a range and diversity of commercial, retail and community facilities, including bulky goods, commensurate with its role as a district level centre.*
- *Development should contribute to the consolidation of a compact town centre.*

The proposal seriously conflicts with these objectives and does not provide reasoning to suggest why Council should depart from these objectives in respect of this site.

The subject land has not been considered as part of the Commercial and Industrial Land Use Strategy (CILUS), as the land is currently zoned 1(a) Rural (Agricultural Protection), 2(a) Residential and 9(a) Proposed Road.

The majority of the development site is zoned 2(a) Residential, with existing residential development located on the eastern side of Boundary Road. The Gunnedah Local Environmental Study (1982) upon which the current land use zoning framework is based highlighted the area for residential development. The northern area of the site has been zoned 1(a) Rural (Agricultural Protection) as it is unable to be serviced by Council's gravity sewer service, without a sewer pump station which is not supported by Council's Infrastructure Services section.

The proponent has not provided any advice on the potential subdivision of the site having regard to the suggested internal road layout. It is unclear how the development of the land would work having particular regard to its relationship to the state highway and the adjoining and adjacent residential land on both the eastern and western sides of the subject land. The proposal makes no provision for accessing the residual residentially zoned land on the eastern side of the site. Effectively this proposal eliminates current and future contiguous development of this land.

Access to the site is proposed from Boundary Road. The proposal includes a draft traffic management plan, which suggests the placement of 'give-way' signs along Boundary Road. The proposed road signage will significantly impact on western-bound traffic taking the alternate heavy vehicle by pass. In addition, the development of the site will also impact on the operation of the State Highway, with regard to traffic turning into the development site.

CONCLUSION

Consideration has been given to the proposed rezoning of Lots 1 & 5 DP 828373 (1 Boundary Road, Gunnedah) and Council's strategic development for the area. The planning proposal is

MINUTES of the Ordinary Meeting of Gunnedah Shire Council held on Wednesday 15 December 2010

not consistent with the strategic direction outlined in the Gunnedah Commercial and Industrial Land Use Strategy and support for the proposal is considered to be poor planning practice. It is therefore recommended that Council refuse the planning proposal.

OFFICER'S RECOMMENDATION: That Council refuse the planning proposal to amend Gunnedah Local Environmental Plan 1998, to rezone Lots 1 and 5 DP 828373 (1 Boundary Road, Gunnedah) to 3(b) Business (General).

Council Deliberations

Councillor KJ Martin commented that it is difficult to retain 1(a) agricultural land of this value and that Council needs to give careful consideration if there is a change of zoning. Rather than adopt or refuse the zoning as presented in the report, Council should defer the matter pending further investigation.

COUNCIL RESOLUTION: That consideration of this item be deferred pending a detailed analysis of the potential land use and zoning for Lots 1 and 5 DP 828373 (1 Boundary Road Gunnedah) together with adjoining land on the northern side of the Kamilaroi Highway from the Oxley-Kamilaroi Highway's intersection roundabout to the eastern boundary of 1 Boundary Road Gunnedah being completed and presented to Councils for consideration.

COUNCILLORS FOR	COUNCILLORS AGAINST	COUNCILLORS ABSENT	COUNCILLORS DECLARING INTEREST
GA Griffen C Fuller S Benham L Mills T Duddy SJ Smith H Allgayer KJ Martin AJ Marshall	Nil	Nil	Nil

Council Resolution

Moved Councillor KJ Martin, seconded Councillor H Allgayer