

## Planning and Assessment

EF19/23123

### Gateway determination report

<b>LGA</b>	Central Coast
<b>PPA</b>	Central Coast Council
<b>NAME</b>	Additional permitted use amendment to increase the maximum floor area for development for the purposes of 'specialised retail premises'. (0 homes, 40 jobs)
<b>NUMBER</b>	PP 2019 CCOAS 001 00
<b>LEP TO BE AMENDED</b>	Gosford Local Environmental Plan 2014 or the draft Central Coast Local Environmental Plan
<b>ADDRESS</b>	'Hometown', 356 Manns Road, West Gosford
<b>DESCRIPTION</b>	Lot 30 DP1172968
<b>RECEIVED</b>	17 July 2019
<b>ADEQUATE</b>	14 August 2019
<b>FILE NO.</b>	EF19/23123
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required.
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 1. INTRODUCTION

### 1.1 Description of planning proposal

The planning proposal seeks to amend Schedule 1 Additional permitted uses for the 'Hometown' site at 356 Manns Road West Gosford to increase the maximum floor area for development for the purposes of 'specialised retail premises' from 12,000m<sup>2</sup> to 16,000m<sup>2</sup>.

### 1.2 Site description

The site has an area of approximately 3.5 hectares and contains an existing large format retail premises known as 'Hometown'. The site is fully developed with existing buildings and carparking and tenanted by a variety of bulky goods premises.

The site adjoins 'Riverside' directly to the south which contains a large format retail premises similar to the 'Hometown' site and is tenanted by bulky goods and business premises.



Figure 1 - Site Plan - Hometown Site

### 1.3 Existing planning controls

The site is located on land zoned IN1 General Industrial under Gosford LEP 2014 (figure 2) and is also identified as 'Hometown' on the Additional Permitted Uses Map (figure 3) and is subject to a provision in Schedule 1 which limits development for the purposes of 'specialised retail premises' to 12,000m<sup>2</sup> on the 'site'. The provision is provided in full below:

#### **10 Use of certain land at Manns Road, West Gosford**

- (1) This clause applies to land at Manns Road, West Gosford, being Lot 30, DP 1172968, identified as Hometown on the Additional Permitted Uses Map.*
- (2) Development for the purpose of specialised retail premises with a maximum floor area of 12,000 square metres is permitted with development consent.*

It is noted the current use of the 'Hometown' site for 'specialised retail premises' is inconsistent with permitted uses in the IN1 zone and requires an additional permitted uses provision to enable the development. There are other sites in the vicinity which are also subject to additional permitted uses provisions for 'specialised retail premises' in the IN1 zone (i.e. Riverside and Stockyard Place). It is intended these existing land uses would be considered by Council as part of a zoning review of land use zones in West Gosford through a Precinct Plan or a future comprehensive LEP to identify more appropriate zones for these existing land uses.

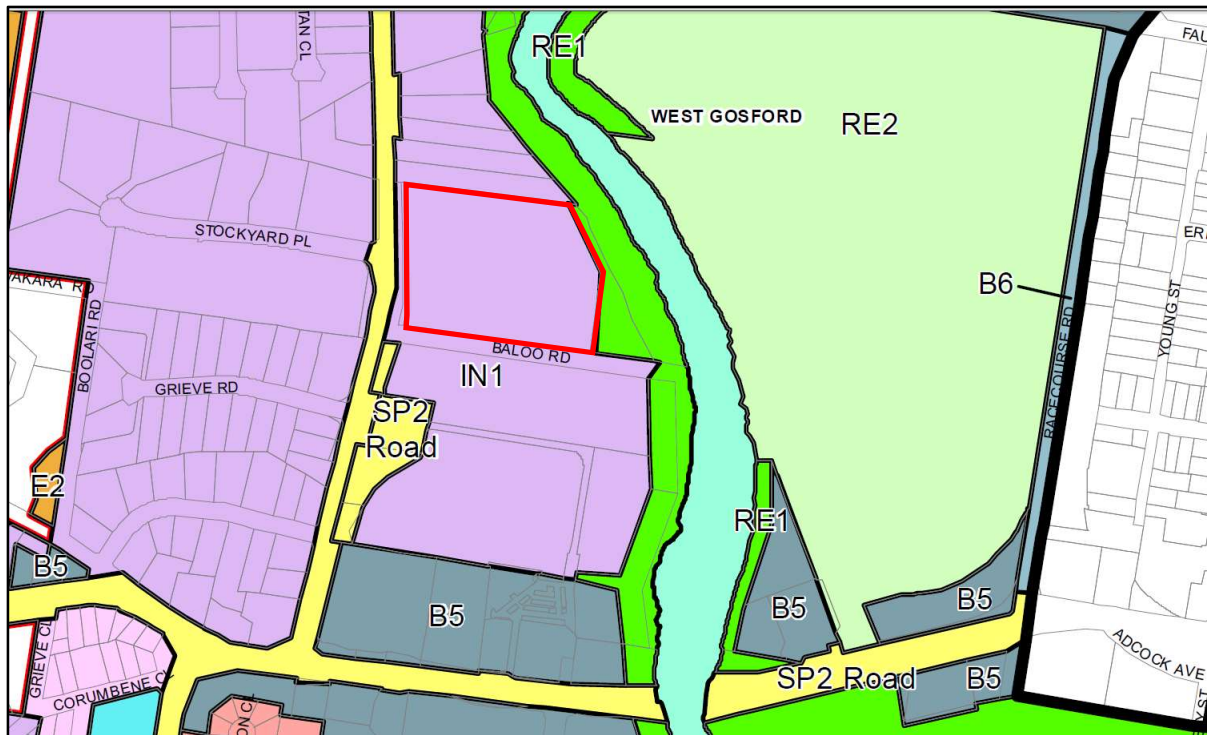


Figure 2 – Land Zoning Map

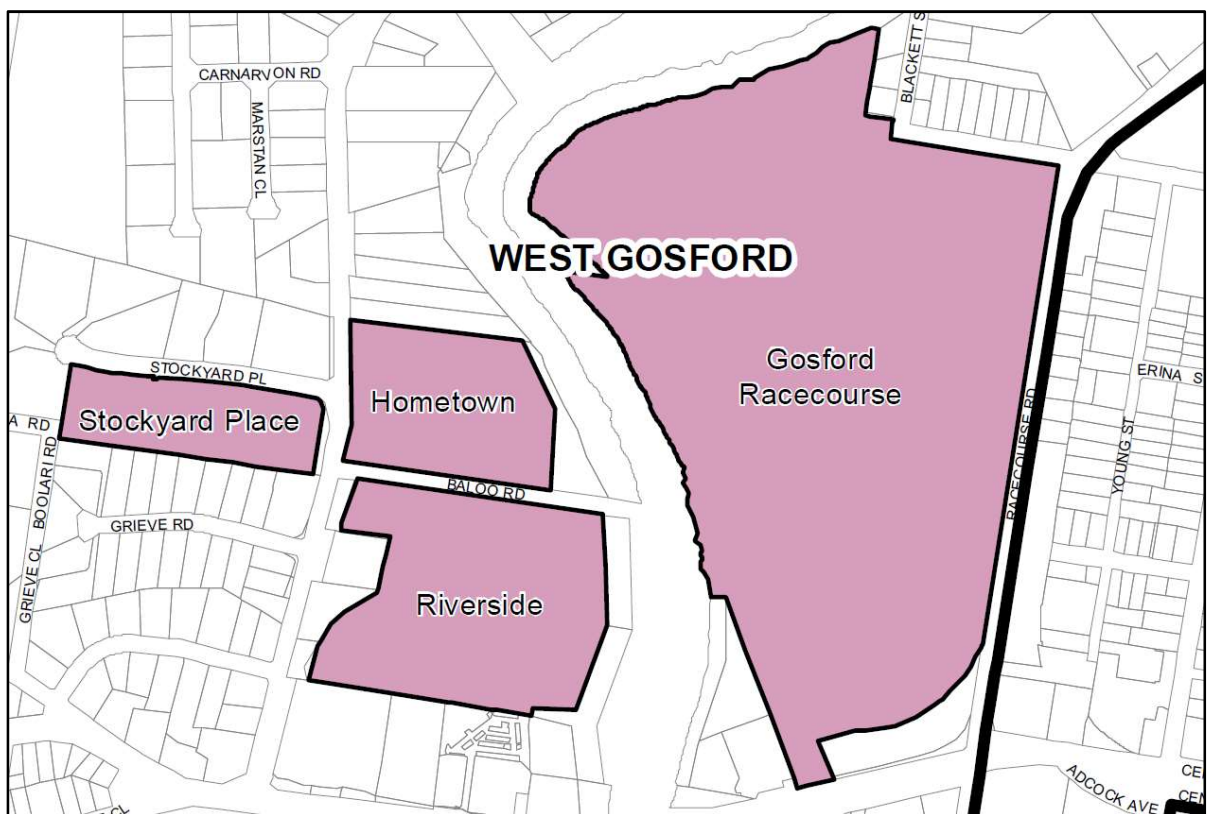


Figure 3 – Additional Permitted Uses Map.

#### 1.4 Surrounding area

The site is located in the southern part of West Gosford Industrial Precinct and is in the vicinity of the Central Coast Highway, a major State road corridor. The surrounding land is generally industrially zoned land however the Stockyard Place



and 'Riverside' sites (figure 1) are also subject to additional permitted use provisions which permit development for 'specialised retail premises'. Land zoned for public recreation purposes is located directly east of the site and buffers Narara Creek. Gosford Racecourse is located further east of the creek and land zoned B5 Business Development is located in the vicinity of the site to the south.

### **1.5 Summary of recommendation**

It is recommended the planning proposal proceed with conditions as the proposal is a minor change to an additional permitted use provision that applies to an existing development and will provide additional local employment opportunities and is consistent with the regional and local planning strategic framework.

## **2. PROPOSAL**

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### **2.1 Objectives or intended outcomes**

Council's stated objective is to increase the permissible floor area for 'specialised retail premises' from 12,000m<sup>2</sup> to 16,000m<sup>2</sup>. The approved and developed floor space on the site is approximately 16,000m<sup>2</sup> and the intent of the proposal is to utilise the additional 4000m<sup>2</sup> of floor area for 'specialised retail premises'. The objectives and intended outcomes are satisfactory.

### **2.2 Explanation of provisions**

Council seeks to achieve the objective by an amendment to the Gosford LEP 2014 Schedule 1 Additional permitted uses provision that applies to the 'Hometown' site. The explanation of provisions states the planning proposal may amend the draft Central Coast LEP which is anticipated to be finalised by the end of 2019 and would repeal Gosford LEP 2014 in addition to other local planning instruments in the former Gosford and Wyong LGAs. The explanation of provisions is considered satisfactory.

### **2.3 Mapping**

The planning proposal seeks to make an amendment to the written provision in the relevant environmental planning instrument. No changes are required to the LEP maps.

## **3. NEED FOR THE PLANNING PROPOSAL**

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Council has advised the planning proposal is not the result of any strategic study or report.

Council refers to the site's strategic location on land identified in the Central Coast Regional Plan as the Southern Growth Corridor, an area designated as a priority location for jobs, services and business growth in the southern half of the region.

Council notes there was a previous planning proposal to alter the floor area restrictions under the additional permitted uses provisions on the 'Hometown' site and the adjoining site at 'Riverside' 392 Manns Road, West Gosford. The 'Hometown' component was removed when the site changed ownership and was not included in the finalised planning proposal which increased the 'specialised retail premises' component of the 'Riverside' site.

The proposal seeks to utilise the existing built form to increase the floor area for 'specialised retail premises'. Given the IN1 zoning is being retained, including an additional permitted use will provide flexibility in providing for additional employment

opportunities in an existing employment precinct whilst retaining employment zoned land for potential future industrial uses.

## **4. STRATEGIC ASSESSMENT**

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### **4.1 State**

There is no applicable state strategic planning framework relevant to the planning proposal.

### **4.2 Regional / District**

Land in Central Coast Local Government Area is subject to the Central Coast Regional Plan (CCRP) 2036. Council's assessment states the planning proposal is consistent with the following relevant actions in the CCRP:

- Action 2.2 – \$170 million upgrade of the Central Coast Highway, Brisbane Water Drive and Manns Road intersection to increase employment diversity and integrate land uses at West Gosford;
- Action 3.3 - Establish the Northern and Southern Growth Corridors as key locations for economic development, residential growth and investment in health, education, research, knowledge-based industries, professional services, sport and leisure, agribusiness, food manufacturing, high-tech manufacturing and clean technologies.
- Action 4.1. Enhance the competitive value of the region by encouraging business and employment activities that leverage the major inter-regional transport connections to Sydney and the Hunter regions.
- Action 7.1 - Facilitate economic development that will lead to more local employment opportunities on the Central Coast.

The planning proposal is consistent with the CCRP as it seeks to facilitate employment and economic development in an area proximate to major transport infrastructure (Central Coast Highway), within the West Gosford Industrial Area in the Southern Growth Corridor. The proponent's economic needs assessment estimates 40 direct jobs would be created with a further 38 jobs created from supplier induced multiplier effects within the broader community and would assist in providing local employment opportunities for residents of the Central Coast.

### **4.3 Local**

#### **One – Central Coast, Community Strategic Plan (CSP) 2018-2028**

Council's assessment has identified the planning proposal is consistent with the following objectives in One – Central Coast, Community Strategic Plan (CSP) 2018-2028:

- Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast
- Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents

The planning proposal is consistent with the objectives as it will facilitate local employment opportunities and economic development on land located within West Gosford Industrial Precinct.

### Biodiversity Strategy

Council's assessment notes the proposal is consistent with the Biodiversity Strategy given it proposes to focus development around existing urban centres within the existing urban footprint to protect environmentally sensitive lands.

### Draft Somersby to Erina Corridor Strategy

The Draft Somersby to Erina Corridors Strategy has been publicly exhibited and sets out a policy direction to protect current IN1 and B5 zones in West Gosford until further review is complete and notes the land in West Gosford has been under pressure for residential development.

There are specific directions in the Strategy for West Gosford which identify the area for future renewal and to ensure the ongoing success of bulky goods premises including actions to protect current zones until further review.

Given the planning proposal will retain the IN1 zoning while permitting additional employment generating uses the proposal is consistent with Council's draft strategy. It is noted the Council report submitted with the planning proposal included limited consideration of the draft Strategy however Council should also include some discussion of consistency with the draft Strategy in the planning proposal to aid community understanding given public exhibition of the strategy has concluded.

### **4.4 Section 9.1 Ministerial Directions**

Council assessment of 9.1 Directions have identified the planning proposal is consistent with the following Section.9.1 Directions:

- 1.1 Business & Industrial Zones
- 2.1 Environmental Protection Zones
- 2.2 Coastal Management
- 2.3 Heritage Conservation
- 2.4 Recreational Vehicle Areas
- 3.2 Caravan Parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.4 Integrating Land Use & Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.10 Implementation of Regional Plans
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

The planning proposal is consistent with the above 9.1 Directions with the exception of 4.4 Planning for Bushfire Protection. Council states the proposal is consistent with the direction however the proposal would need to address consistency with the direction following consultation with the NSW Rural Fire Service given part of the site is bushfire prone land.

#### **4.5 State environmental planning policies (SEPPs)**

Council has advised the planning proposal is consistent with the following applicable SEPPs:

- SEPP No. 19 – Bushland in Urban Areas
- SEPP No. 44 – Koala Habitat
- SEPP No. 55 – Remediation of Land
- SEPP (Coastal Management) 2018
- SEPP (Mining, Petroleum & Extractive Industries) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Primary Production and Rural Development) 2019

### **5. SITE-SPECIFIC ASSESSMENT**

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#### **5.1 Social**

The planning proposal will facilitate additional employment on the site by increasing the floor area by 4,000m<sup>2</sup> for ‘specialised retail premises’ than the current enabling clause permits. The economic needs assessment provided indicates 40 net additional jobs would be created as well as a further 38 projected to be created as a result of supplier multiplier effects from the ongoing running of the facilities. The proposal is anticipated to provide net community benefit by providing additional choice to consumers and fulfilling the existing demand for ‘specialised retail premises’.

#### **5.2 Environmental**

##### Environmental Protection

The site is fully developed, and Council’s assessment identifies the intent of the proposal is to allow 4,000m<sup>2</sup> of approved and constructed floor space to be used for ‘specialised retail premises’ and will not impact any critical habitat or threatened species.

##### Bushfire

The site is fully developed with existing buildings, driveways and carparks and is unlikely to increase bushfire hazard. However, part of the site is identified as being bushfire prone land and Council must consult with the NSW Rural Fire Service following receipt of a Gateway determination.

##### Flooding

The site is not identified as flood prone land.

#### **5.3 Economic**

Council has advised water and sewer are already available on the site. Council has advised a recent upgrade to the Central Coast Highway in the vicinity of the site at Brisbane Water Drive and Mann’s Road will facilitate an increase in employment diversity and opportunities while integrating land uses at West Gosford. The Economic Needs Assessment considered the impact of the additional floor area on surrounding business and identified it would not affect the viability or continued operation of any store given the majority of sales come from market growth.

## Traffic and Transport

A Traffic Report prepared in support of the application has concluded that the proposal has the potential to result in a net reduction in the traffic generation potential of the site during the weekday AM and Saturday peak periods and a nominal increase during the weekday PM peak period, when compared to the site's existing uses. The report also states the current permissible uses in the IN1 General Industrial Zone generate traffic at a higher rate than does the 'specialised retail premises' sought in the proposal. The proposal and supporting traffic study should be referred to Roads and Maritime Services for comment on the capacity of the road network given the recent government investment in the intersection upgrade and previous advice issued by the RMS on the adjacent 'Riverside' proposal which limited the final floor space for bulky goods premises.

## **6. CONSULTATION**

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### **6.1 Community**

Council proposes a community consultation period of 14 days. This is supported.

### **6.2 Agencies**

Council proposes to consult with Transport for NSW, Roads, Maritime Services and NSW Rural Fire Services. It is not clear why Transport for NSW is required to be consulted.

## **7. TIME FRAME**

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Council has proposed a project timeframe of 11 months to make the draft LEP. Given the proposal is a minor instrument-only amendment and requires limited consultation with state agencies a 9-month timeframe is recommended.

## **8. LOCAL PLAN-MAKING AUTHORITY**

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Council resolved to seek delegations to make the plan. The proposal is a minor amendment to an existing provision and is consistent with the Central Coast Regional Plan. Council should be granted delegation to make the plan.

## **9. CONCLUSION**

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The planning proposal is supported to proceed with conditions as:

- it will provide additional employment opportunities in the local area;
- there are no significant environmental constraints with the exception of bushfire and traffic impacts which appear capable of resolution during agency consultation;
- the proposal is consistent with the Central Coast Regional Plan and Council's local strategic planning framework.

## **10. RECOMMENDATION**

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It is recommended that the delegate of the Secretary:

1. note that the consistency with section 9.1 Directions 4.4 Planning for Bushfire Protection is unresolved and will require justification.



It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Update the planning proposal to:
  - include discussion of the planning proposal's consistency with the draft Somersby to Erina Corridor Strategy.
2. The planning proposal should be made available for community consultation for a minimum of 14 days.
3. Consultation is required with the following public authorities:
  - NSW Rural Fire Service.
  - Transport NSW - Roads and Maritime Services
4. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.
5. Given the nature of the planning proposal, Council should be the local plan-making authority.



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