

WEST GOSFORD, business premises as additional permitted uses on industrially zoned land at Riverside

Proposal Title : **WEST GOSFORD, business premises as additional permitted uses on industrially zoned land at Riverside**

Proposal Summary : **Planning proposal to:**

- add business premises as additional permitted use (capped at 1,560 m2)
- reduce permissible space for bulk goods (from 12,500 m2 to 10,700 m2)
- amend area of additional permitted use map to remove land acquired by RMS
- update lot references

PP Number : **PP_2015_GOSFO_008_00**

Dop File No :

15/09887

Proposal Details

Date Planning
Proposal Received : **22-Jun-2015**

LGA covered : **Gosford**

Region : **Hunter**

RPA : **Gosford City Council**

State Electorate : **GOSFORD**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb :

City :

Postcode :

Land Parcel : **Riverside Manns Road West Gosford**

DoP Planning Officer Contact Details

Contact Name : **G P Hopkins**

Contact Number : **0243485002**

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RPA Contact Details

Contact Name : **Bruce Ronan**

Contact Number : **0243258176**

Contact Email : **bruce.ronan@gosford.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings (where relevant) : 0
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **Additional permitted uses were introduced in 2013 by Gosford LEP No 477 (PP_2012_GOSFO_005_00) which permitted up to 12,500 m2 of bulky goods premises. The amendment was carried over into Gosford LEP 2014 via an entry in Schedule 1 Additional Permitted Use and a supporting entry on the Additional Permitted Use (APU) map.**

The APU map is being amended so it no longer applies to lots 20, 21, 22 and 23 DP 1166385 and lot RW DP 270678 as these have been developed for road infrastructure.

The APU map will now apply to Lots 19, 20, 21 DP 270678 and part lot 1 DP 270678 and part SP 84324.

Lot 18 DP 270678 is not part of the planning proposal and references to this lot should be removed.

External Supporting Notes : **The planning proposals was lodged on 19 June 2015. Additional information was requested on 22 June 2015 and received on 22 June 2015.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives is adequate.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions needs further consideration to ensure Council's intention regarding the location of the business premises is met (ie. it is to be within existing**

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buildings on lot 21 DP 270678). Consideration could be given to differentiating the bulky goods additional permitted use and business premises additional permitted use if they are meant to apply to different land.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.2 Coastal Protection

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 71—Coastal Protection

SEPP (Exempt and Complying Development Codes) 2008

e) List any other matters that need to be considered :

Given the existing development in the vicinity and the proposed floor space restrictions, any inconsistency with s117 direction 1.1 Business and Industrial Zones is considered minor.

The bushfire prone land maps for this site have not been updated to reflect recent development. Consultation with the RFS under s117 direction 4.4 Planning for Bushfire Protection is required as the current maps still show part of the land as bushfire prone.

Inconsistencies with directions 5.1 Implementation of Regional Strategies and 6.3 Site Specific Provisions are minor.

s117 direction 4.1 Acid Sulfate Soils is not referred to by Council. It applies but the planning proposal is consistent.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

RFS consultation is required.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council proposes to amend the existing outline of the land shown as Riverside on APU map sheet 015A to remove land now being used for road infrastructure. The planning proposal needs to be amended to show that it applies to the land being removed from the APU map. Consideration should be given to whether other map layers should be amended for this land (eg. amend zone if it is no longer suitable) and consult with landowner (RMS). Any consequential changes to the planning proposal should be made.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

14 days proposed and supported.

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Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **A timeline has been provided. 6 months timeframe considered adequate.**

Council has requested delegation to make the plan and this is supported.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The proposal will amend Gosford LEP 2014.**

Assessment Criteria

Need for planning proposal : **The planning proposal has arisen from a request from the landowner to better utilise existing floor space.**

Consistency with strategic planning framework : **The proposal is not inconsistent with the local and regional strategic planning framework.**

Environmental social economic impacts : **Due to the existing development in the area and relatively small area involved, any potential adverse effect on centres, eg. by locating business uses out of centre, is minor.**

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 months** Delegation : **RPA**

Public Authority Consultation - s56(2)(d) : **NSW Rural Fire Service
Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

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Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council covering letter.pdf	Proposal Covering Letter	Yes
Council report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Planning proposal.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.2 Coastal Protection**
- 2.3 Heritage Conservation**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**

Additional Information : **Amend references to lots in planning proposal (remove reference to lot 18 DP 270678 and include lots where Riverside APU map will no longer apply).**

Consider any other map layer amendments that are appropriate given amendment to APU map (eg. is zone still appropriate on land acquired for road infrastructure).

Council to ensure its intention regarding the location of the business premises is met (ie. it is to be within existing buildings on lot 21 DP 270678). Consideration could be given to differentiating the bulky goods additional permitted use and business premises additional permitted use if they are meant to apply to different land.

Inconsistencies with directions 1.1 Business and Industrial Zones, 5.1 Implementation of Regional Strategies and 6.3 Site Specific Provisions are minor.

Consult with RFS under terms of 117 direction 4.4 and make any necessary updates to planning proposal.

Consult with RMS as owners of land which APU notation is being taken off.

14 days public exhibition.

6 months timeframe to complete.

Delegation to Council to make plan.

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No public inquiry.

Supporting Reasons : *

Signature:



Printed Name:

G P HOPKINS

Date:

26 June 2015