

WEST GOSFORD Planning Proposal to amend Gosford LEP 2014 to delete reference to maximum floor area in Schedule 1 Additional Permitted Uses affecting land at 356 and 392 Manns Road

Proposal Title :	WEST GOSFORD Planning Proposal to amend Gosford LEP 2014 to delete reference to maximum floor area in Schedule 1 Additional Permitted Uses affecting land at 356 and 392 Manns Road		
Proposal Summary :	The proposal seeks to delete reference to maximum floor space limits for the Additional Permitted Uses (APU), being bulky goods premises and business premises, on the subject site. The proposal would amend clause 10 and 11 of Schedule 1 APU under the Gosford Local Environmental Plan 2014 (GLEP).		
PP Number :	PP_2017_CCOAS_007_00	Dop File No :	17/08392

Proposal Details

Date Planning Proposal Received :	15-Jun-2017	LGA covered :	Central Coast
Region :	Hunter	RPA :	Central Coast Council
State Electorate :	GOSFORD	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Manns Road		
Suburb :	West Gosford	City :	Postcode : 2250
Land Parcel :	Part Lot 1 and Lots 19 - 21 DP 270678, Lot 30 DP 1172968, part SP 84324		

DoP Planning Officer Contact Details

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RPA Contact Details

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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 :	Central Coast Regional Plan 2036	Consistent with Strategy :	Yes
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 : **The proposal was considered adequate on 15 June 2017.**

BACKGROUND

The site is located in the southern part of the West Gosford industrial precinct and is located in the vicinity of major roadworks upgrades on the corner of Central Coast Highway and Manns Road. The site is currently zoned IN1 General Industrial (IN1).

Commercial premises, including bulky goods premises and business premises, are prohibited in the zone. However, Council has allowed the development of both sites for bulky goods through enabling clauses and Schedule 1 APU, whilst retaining the IN1 zone. The current APU clauses allow bulky goods in the Hometown site capped at 12,000m² and bulky goods capped at 10,700m² and business premises capped at 1,560m² on the Riverside site.

The closure of Masters Home Improvement store (Masters) has left a large building unoccupied and created the stimulus for this planning proposal. Council is considering both of the sites as their development is similar in bulk and type, both sites are zoned IN1 and are subject to an APU.

The site is identified in the Central Coast Regional Plan (CCRP) as being within the Southern Growth Corridor which is a designated for future jobs, services and business growth. The CCRP aims to capitalise on upgrades of the Central Coast Highway and Manns Road intersection through increased employment diversity and integrated land uses at West Gosford.

Council has decided not to rezone the site at this stage as a strategic review will be undertaken as part of the CCRP to examine appropriate zoning that will facilitate economic development within the precinct. A precinct wide strategic review is supported. As such, the proposal to delete reference to maximum floor area should be considered to

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facilitate use of existing sites until a precinct would review is undertaken.

Council supports the proposal as it is consistent with the Central Coast Regional Plan, will facilitate employment in West Gosford and will facilitate use of the existing buildings prior to a strategic review of the Corridor.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : Council's stated objective is to delete all references to maximum floor space limitations on the additional permitted uses enabled on the subject sites.

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

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

Comment : Council seeks to achieve the objective by:

- Amending Gosford Local Environmental Plan (LEP) 2014 Schedule 1 Additional Permitted Uses Clauses 10 and 11 by deleting all reference to 'maximum floor space limitations'.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones
- 2.2 Coastal Protection
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable Land
- 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? **Unknown**

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

d) Which SEPPs have the RPA identified?

- SEPP No 14—Coastal Wetlands
- SEPP No 19—Bushland in Urban Areas
- SEPP No 44—Koala Habitat Protection
- SEPP No 55—Remediation of Land
- SEPP No 71—Coastal Protection

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

Draft SEPP Competition 2010
Council's assessment considers the proposal is consistent with the objectives of the draft SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

S117 DIRECTIONS
The proposal is consistent with all relevant S117 Directions, except as identified below.
Inconsistency with the following Directions is considered to be of minor significance:

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4.1 Mine Subsidence and Unstable Land

Council's mapping identified that part of the site has a medium potential to be unstable and this direction applies to the site. Given the site is already developed, inconsistency with this direction is considered to be of minor significance.

4.3 Flood Prone Land

Part of the site is identified as flood prone and this direction applies to the site. Given the site is developed inconsistency with this direction is considered to be of minor significance.

Further consideration is required to demonstrated or to justify any inconsistency with the following S117 Directions:

3.4 Integrating Land Use and Transport

This Direction applies to the proposal as it has the potential to generate many trips and will provide large floor plates for a range of uses. Council's assessment does not adequately address the potential impacts relating to land use and transport that are generated by this proposal. Council should update the planning proposal to consider Improving Transport Choice - Guidelines for planning and development and The Right Place for Business and Services - Planning Policy as well as address the terms of the direction.

4.4 Planning for Bushfire Protection

Part of the site is identified as bushfire prone. The majority of the site is developed with commercial premises, car parks and driveways. The NSW RFS provided comment on the original development application. Although the planning proposal is unlikely to result in an increased fire risk, referral to NSW RFS is required under this direction.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : The proposal will not result in any changes to the GLEP 2014 mapping.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : A minimum exhibition period of 14 days is supported as the proposal is considered to be minor.

Additional Director General's requirements

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

If Yes, reasons : **PROJECT TIMEFRAME**

Council's proposed timeframe is 9 months. However, a 6 month timeframe is recommended given the proposal is a minor amendment.

DELEGATIONS

Central Coast Council requested delegation to make the draft LEP. As the proposal is a minor amendment to the GLEP 2014 and is generally consistent with the Central Coast Regional Plan, Council should be granted delegation.

Overall adequacy of the proposal

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

If No, comment :

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Proposal Assessment

Principal LEP:

Due Date : July 2017

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning
proposal :

Council has advised the planning proposal is not the result of a specific strategic study of report.

Hometown and Riverside are generally characterised by large floor plate commercial buildings. Hometown mostly includes bulky goods use units. Riverside includes the previous Masters Home Improvement (Masters) store and a number of smaller scale units, generally used as business premises (including a gym, dentist and medical suites).

BULKY GOODS

Deletion of the maximum floor area requirement applying to the site will allow existing buildings, which are larger than the maximum limit, to be used as bulky goods premises. The proposal will specifically benefit the Masters building which has been vacant since it closed in 2016.

The bulky goods component of the proposal will facilitate employment in the West Gosford area, particularly enabling a range of uses in the vacant Masters building. The proposal is in keeping with the existing development type and scale and would be consistent with the existing uses on site.

West Gosford is located close to the Freeway and has appropriate car parking facilities for the type and scale of uses that would be permitted under the proposal. The proposal will also contribute to employment in the local area.

BUSINESS PREMISES

Riverside currently contains a number of business premises, of a smaller scale than the bulky goods units, that include a gym, dentist and medical suites. Business premises means 'an occupation, profession or trade (other than an industry) carried out for the provision of services directly to members of the public on a regular basis, or a service is provided directly to members of the public on a regular basis'.

Deletion of the maximum floor space requirements for business premises may impact the strategic context of the industrial precinct given the large size of existing buildings and potential scale of future business uses. Council's assessment lacks detailed analysis of the potential impacts resulting from deletion of floor area requirements on the precinct and on the impacts on the viability and vitality of centres including Gosford CBD.

Council's proposal should be updated to consider the potential impacts of changes to the maximum floor area for business premises, especially in relation to traffic, lack of public transport and impacts on the centres including Gosford CBD consistent with the requirements of S117 Direction 3.4 Integrating Land Use and Transport.

Council's proposal should also address whether it would be appropriate to extend the APU of business premises to the Hometown site.

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Consistency with strategic planning framework :

CENTRAL COAST REGIONAL PLAN 2016 (CCRP)

Council's assessment notes the proposal is consistent with the CCRP. Council has identified priority actions which are relevant to the planning proposal:

- Action 2.2 - Capitalise on improved access from the \$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 3.2 - Harness opportunities for business investment and employment by leveraging major public transport investment and projects.
- 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 subject site is located within the Southern Growth Corridor in the West Gosford industrial precinct.

The site is located within close proximity to the Central Coast Highway and Manns Road intersection, which has recently been upgraded. The proposal is unlikely to generate an unreasonable traffic impact on the road network, due to upgrades and it is well connected to surrounding areas.

The existing development represents a significant economic investment in the area, however, Schedule 1 clause 10 and 11 limit the economic viability and employment potential of the site as a number of the existing buildings have an area greater than that detailed in the enabling clause. The proposal will facilitate a range of employment opportunities within the West Gosford industrial area.

COMMUNITY STRATEGIC PLANS - GOSFORD 2025 (PLAN)

Council's assessment indicates the proposal is consistent with the Plan's objectives to:

- C1.1 - Broaden range of business and industry sectors.
- C1.3 - Increase and broaden the range of local jobs across existing and emerging employment sectors.

BIODIVERSITY STRATEGY (STRATEGY)

Council's assessment notes the proposal is consistent with the Strategy.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

SOCIAL

Council's assessment indicates that the proposal will facilitate employment on the site, particularly the vacant Masters building, which has a floor area greater than that permitted by the enabling clause.

WATER AND SEWER

The site is connected to water and sewer. The proposal will not impact supply.

TRAFFIC AND TRANSPORT

- Parking

Council's assessment suggests the proposal will generate additional traffic due to increase in potential bulky goods and business premises uses.

The Roads and Maritime Services (RMS) Guide to Traffic Generating Developments 2013 (Guide) undertook a number of surveys across metropolitan and regional areas to determine the traffic generation of certain development types. The Guide's results suggest that 'Major hardware and building supplies stores' generate on average 40% more traffic than 'Bulky goods retail stores'. As such, deletion of the maximum floor area for bulky goods premises within the previous Masters building is unlikely to generate a significant increase to traffic.

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However, amendments to floor area limits for business premises may result in an increase to traffic and parking demands, due to the types of uses that are permissible and this has not been quantified.

- **Road network**

The site is located within close proximity to the Central Coast Highway and Manns Road intersection which has recently been upgraded to cope with anticipated traffic increases over the next 20 years. As part of the upgrades RMS acquired adjoining land. The Central Coast Highway is a classified road.

Although the site is developed and previous proposals have been considered by the RMS, given the location adjacent to recently completed major roadworks and the nature of the proposal in removing floor space caps, Council should refer the proposal to NSW RMS for comment.

- **Public Transport**

There is limited public transport to the site, with bus stops on the Central Coast Highway and Manns Road. Council's assessment suggests that increased demand in the area could result in improved public transport servicing. There is limited pedestrian connectivity between the sites.

ENVIRONMENTAL HAZARDS (FLOOD AND BUSHFIRE)

Part of the site is identified as being affected by flooding. S117 Direction 4.3 Flood Prone Land applies to the site, however given the site is already developed inconsistency with this direction is considered to be of minor significance.

Part of the site is identified as being bushfire prone land in Council's mapping. The majority of the site is developed with buildings, driveways or carparks and the proposal is unlikely to result in a negative bushfire impact. However, the proposal requires consultation with NSW RFS under S117 Direction 4.4 Planning for Bushfire Protection.

ENVIRONMENTAL PROTECTION

Council's assessment indicates part of the site is mapped as being affected by State Environmental Planning Policy No 14 - Coastal Wetlands (SEPP 14). The wetland is outside the area affected by the planning proposal and will not be impacted by the removal of the floorspace cap.

Assessment Process

Proposal type :	Minor	Community Consultation Period :	14 Days
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Timeframe to make LEP :	6 months	Delegation :	RPA
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Public Authority	NSW Rural Fire Service
Consultation - 56(2)(d) :	Transport for NSW - Roads and Maritime Services

Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

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

If Yes, reasons :

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
Central Coast Council - Council Report.pdf	Proposal	Yes
Central Coast Council - Council Resolution.pdf	Proposal	Yes
Central Coast Council - 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**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 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 : **The planning proposal should proceed subject to the following conditions:**

1. Council is to update the planning proposal prior to community consultation to:

- remove reference to Lot 18 DP 270678;
- investigate and include discussion on the effects of deleting the maximum floor space for business premises on the site; and
- discuss whether the Additional Permitted Use of business premises should also apply to the Hometown site.

2. Council is to update its consideration of the consistency with the following S117 Directions:

- **3.4 Integrating Land Use and Transport**
- **4.4 Planning for Bushfire Protection**

3. Minimum 14 day exhibitions period.

4. Consultation is required with the following public authorities:

- **NSW Rural Fire Service**

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- NSW Roads and Maritime Services

5. A public hearing is not required to be held.

6. The timeframe for completing the LEP is to be 6 months.

7. Council be granted delegation to make the plan.

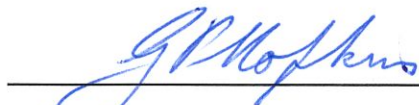
Inconsistency with the following S117 Directions is considered to be of minor significance:

- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land

Supporting Reasons :

*

Signature:



Printed Name:

GPHOPKINS

Date:

28 June 2017

