

Item No: 2.3
Title: Planning Proposal 91/2016 Manns Road, Gosford
Department: Environment and Planning

26 April 2017 Ordinary Council Meeting

D12648486



Report Purpose

The purpose of this report is for Council to consider a Planning Proposal which seeks to amend *Gosford Local Environmental Plan 2014* by deleting the floor space requirements contained in clauses 10(2) and 11(2) of Schedule 1 - Additional Permitted Uses which apply to No's 356 and 392 Manns Rd West Gosford.

This report recommends that Council prepare a Planning Proposal and request a gateway determination.

Recommendation

- 1 That Council prepare a Planning Proposal to amend Gosford Local Environmental Plan 2014, floor space requirements from clauses 10(2) and 11(2) of Schedule 1 Additional Permitted Uses, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 to the following properties:**
 - a. part Lot 1 and Lots 18-21 DP 270678, Manns Rd West Gosford.**
 - b. Lot 30 DP 1172968, Manns Rd West Gosford, and**
 - c. part SP 84324 Manns Rd West Gosford.**
- 2 That Council forward the Planning Proposal to the NSW Minister for Planning requesting a Gateway Determination, as well as requesting delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56(1) of the Environmental Planning and Assessment Act 1979;**
- 3 That Council undertake community and public authority consultation in accordance with the Gateway Determination requirements.**
- 4 That Council consider a further report on the results of community and public authority consultation.**
- 5 That Council request from the NSW Department of Planning and Environment delegations for the Chief Executive Officer (or delegate) to finalise and make the draft Local Environmental Plan.**

DRAFT

The Site

The subject land comprises five lots (or part thereof) as highlighted (red) in Figure 1. The properties are described as part Lot 1 and Lots 18-21 DP 270678, Lot 30 DP 1172968 and part SP 84324 Manns Rd, West Gosford.

The land is zoned IN1 - General Industrial under *Gosford Local Environmental Plan 2014 (GLEP 2014)*. Properties to the north and west are also zoned IN1 - General Industrial, land to the south is zoned B5 - Business Development and land to the east fronting Narara Creek is zoned RE1 - Public Recreation.

The total area of the land subject to the planning proposal is 10.04 Ha. The land situated north of Baloo Road (unmade reserve) is occupied by 'West Gosford Hometown'. Land south of Baloo Road has the 'Riverside Park' business located upon it which contains several buildings including the now vacant Masters Store.

The removal of floor space restrictions from *GLEP 2014* will enable existing buildings (such as the vacant Masters Store site) to be used for bulky goods retailing and business premises.

The removal of existing floor space restrictions will also enhance development flexibility before land use and zoning charges are examined in more detail as part of the Southern Growth Corridor project which will focus on a large area of land between Somersby and Erina.

The Planning Proposal will assist the efficient and economic use of the large buildings which occur on both sites. The outcome is expected to support the economic viability and use of existing development onsite and complement the range of IN1 – General Industrial uses which are permissible in the zone.



Figure 1: Zoning Context (Sites subject of the Planning Proposal are shown edged red)



Figure 2: Locality Context Aerial (Sites subject of the application are shown edged in red)

The Proposal

The objective of the proposal is to amend *GLEP 2014* to remove references to floor space limitations contained in Clauses 10(2) and 11(2) of Schedule 1 Additional Permitted Uses.

Clauses 10 and 11 of Schedule 1 - Additional Permitted Uses of *GLEP 2014* apply to No's 356 and 392 Manns Rd West Gosford, as outlined as follows:

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 bulky goods premises with a maximum floor area of 12,000 square metres is permitted with development consent.

11 Use of certain land at Manns Road, West Gosford

(1) This clause applies to land at Manns Road, West Gosford, being part of Lot 1 and Lots 19–21, DP 270678, and part of SP 84324, identified as "Riverside" on the Additional Permitted Uses Map.

(2) Development for the following purposes is permitted with development consent:

(a) bulky goods premises with a maximum floor area of 10,700 square metres,

(b) business premises with a maximum floor area of 1,560 square metres.

The IN1 - General Industrial zone which applies to the land will be unaffected by the Planning Proposal. If the Planning Proposal is supported, the Additional Permitted Use Clause 10 and 11 will continue, to permit with Council consent bulky goods premises on the "West Gosford Hometown" site and bulky goods premises plus business premises on "Riverside Park site".

This Planning Proposal is the result of the closure and sale of the Masters Store at West Gosford. It is understood that all Masters Stores across Australia have been closed. The Planning Proposal seeks to remove all floor space limitations associated with additional permitted uses of bulky goods and business premises to assist the efficient and economic use of the large buildings which occur on both sites. The outcome is expected to support existing development onsite and provide opportunities for a complementary range of IN1 - General Industrial uses permissible in the zone.

Assessment

Strategic Merit

In 2016 the State Government released the *Central Coast Regional Plan 2036 (CCRP)* which provides the strategic planning for the region for the next 20 years until 2036. The subject area lies within the CCRP's proposed Southern Growth Corridor which is designated as a priority location for future jobs, services and business growth within the southern half of the region.

The assessment of the Planning Proposal (as amended) indicates that it has merit to proceed to a Gateway Determination request in advance of future strategic planning to establish the Southern Growth Corridor. It is also consistent with actions in the CCRP which seek to 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. The proposed amendments will more appropriately reflect the existing character of commercial development on both sites.

Local Planning Context

Clauses 10 and 11 under *GLEP 2014* relate to 356 Manns Road (West Gosford Hometown) and 392 Manns Road (Riverside Park) West Gosford respectively. Under Clause 10 of the *GLEP 2014*, land at "Hometown" can be developed for the purposes of bulky goods premises with a maximum floor area of 12,000m² with development consent. Under Clause 11 of the *GLEP 2014*, land at "Riverside" can be developed for the purposes of bulky goods premises with a maximum floor area of 10,700m² and business premises of 1560m².

The Riverside Park site has development consent for the following:

- 13,391 m² of building and hardware use (Masters)
- 1,552 m² of business premises, and
- 9,474 m² of bulky goods retailing uses

The West Gosford Hometown site has consent for 11,991 square metres of bulky goods retailing uses, plus 3,268 m² of other permitted uses.

The past approach of Gosford City Council to enable additional permitted uses on these sites for bulky goods and business premises has altered the role of these lands under the IN1 General Industrial zone. The proposed removal of the floor space limitations for bulky goods and business premises will continue this role and allow for expansion which will allow flexibility to ensure that these lands provide on-going use as employment generators in West Gosford. The amendments to the existing additional permitted use on the land will not affect a future structure plan for the West Gosford Centre.

Any future application for additional bulky goods premises or business premises on these sites will require approval through the development assessment process.

An alternative option to amending the *GLEP 2014* via this Planning Proposal is the use of clause 4.6 to vary Schedule 1 additional permitted uses clauses 10 and 11 in relation to maximum floor area limits. This is not recommended as it would add time and complexity to every development application to add floor area. The Planning Proposal to amend the *GLEP 2014* is the most effective and efficient way of providing clarity and flexibility to enable development certainty and economic viability for the site.

Statutory Compliance and Strategic Justification

In May 2016 *Department of Planning and Environment (DP&E)* issued guidance for merged councils on planning functions. These guidelines require merged Councils to continue to progress planning proposals with strategic merit. This planning proposal is consistent with the guidelines and is appropriate to be progressed.

The proposal has been assessed having regard for all State Environmental Planning Policies, Ministerial s.117 Directions and the relevant guidelines set out within the regional plans including the CCRP.

The request is considered to be consistent with these considerations and suitable for forwarding to the *Minister for Planning* for a Gateway Determination.

Internal Consultation

Transport Planning

The *Roads and Maritime Services' (RMS) Guide to Traffic Generating Developments Updated Traffic Surveys* published in August 2013, provides the latest summaries of land use traffic generation. The Planning Proposal may generate additional traffic due to increase in bulky goods and business premises type uses.

Should this proposal be granted a Gateway Determination by DP&E it is expected to be referred to the RMS and Transport for NSW for assessment. It is anticipated that due to the recent significant upgrades to nearby intersections along Manns Road, Pacific Highway and Brisbane Water Drive, that a traffic study will not be required. The recent intersection upgrades that have been designed to cater for traffic increases over the next twenty years. Accordingly the planning progressed is not expected to have any significant impact on the road network.

The subject land is not located along a major bus service route like the Central Coast Highway. From a transport planning viewpoint, the subject site is not well served by public transport. Additional development may in time result in a response to increase the frequency of bus services in the locality.

Waste Services

Waste Services has considered the Planning Proposal and advise that the existing sites were developed with consideration for servicing of solid waste generated by the developments i.e. access, servicing etc. Intensification of use through re-zoning for solid waste management will be achievable with existing access arrangements and road network. Waste Services has no objection to the Planning Proposal being pursued.

Water & Sewer

No objections were raised by the water and sewer section.

External consultation

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly. It is anticipated due to the existing development and the location, that the following agencies will need to be consulted:

- NSW Rural Fire Service
- Roads and Maritime Services
- Transport for NSW

Budget Impact

There are no immediate budget impacts as the assessment of the Planning Proposal is funded by the Council's adopted fees paid upon lodgment.

Conclusion

The proposal seeks to remove from *GLEP 2014* the floor space limitations from Clauses 10 and 11 of Schedule 1 - Additional Permitted Uses for bulky goods and business premises on the subject sites, is considered to have high level of strategic merit.

An assessment of the proposal indicates that the site is suitable for the proposed development. No issues have been identified that would prevent Council seeking a Gateway Determination for this proposal. The *GLEP 2014* floor space limitations on bulky goods and business premises currently restrict the supply of floor space to meet local demand. The Planning Proposal will remove these constraints.

It is recommended that a Planning Proposal be prepared and forwarded to the *Minister for Planning* for a Gateway Determination.

Attachments

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| 1 | Summary of Planning Proposal | D12651838 |
| 2 | Strategic Assessment | D12648469 |