

WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use

Proposal Title : **WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use**

Proposal Summary : **The proposal seeks to add bulky goods premises, capped at 10,800m2, as an additional permitted use at Lot 32 DP 1171389, Stockyard Place, West Gosford**

PP Number : **PP_2014_GOSFO_011_00** Dop File No : **14/10864**

Proposal Details

Date Planning Proposal Received : **27-Jun-2014** 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 : **Stockyard**

Suburb : **West Gosford** City : Postcode : **2250**

Land Parcel : **Lot 32 DP 1171389**

DoP Planning Officer Contact Details

Contact Name : **G Hopkins**

Contact Number : **0243485002**

Contact Email : **garry.hopkins@planning.nsw.gov.au**

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 :

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use

MDP Number :

Date of Release :

Area of Release
(Ha) :Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

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 notesInternal Supporting
Notes :External Supporting
Notes :**Adequacy Assessment****Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**Comment : **The statement is adequate.****Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**Comment : **The explanation is adequate.****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**

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

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The additional permitted use map will be amended.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes 14 or 28 days. 14 days will be sufficient.**

Additional Director General's requirements

Are there any additional Director General's requirements?

If Yes, reasons : **Project timeline - Council proposes 10 months. 6 months should be sufficient given no studies are required.**

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 :

Assessment Criteria

Need for planning proposal :

The site contains a large building previously occupied by Bunnings. The site is zoned IN1.

A recent subdivision has been approved for the now empty building to allow its division into 8 units. Adding bulky goods as an additional permitted use extends the potential uses of the existing building.

There is limited discussion on alternatives such as an alternative zone, other land uses or a different floor space cap.

WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use

Consistency with strategic planning framework :

Action 5.9 of the Central Coast Regional Strategy is to ensure that bulky goods retailing is not located on industrial land and is located in centres and nominated nodes.

While this is not a 'nominated node', Council refers to the precedent of two other developments in the vicinity where bulky goods premises is permitted on industrial zoned land.

Council undertook an Employment Lands Investigation in 2010. The ELI said, Inter alia,

"Gosford has a limited supply of zoned employment lands which is a further reason to ensure that the existing supply is preserved for employment use. In particular, the retention of rare large lots of industrially zoned land is considered highly important. Bulky goods retailing within the precinct [West Gosford] should be prohibited."(p. 80) and

"Bulky goods clusters should only be allowed on land zoned B5 Business Development under the draft Gosford LEP 2009. The boundaries of these clusters should be restricted so as not to encroach into the light or general industrial areas. Expansion of bulky goods retailing should only be permitted within these designated areas." (p.90)

Notwithstanding these inconsistencies, Council considers that while not an identified bulky goods 'node', enabling bulky goods premises at this site is not inappropriate.

In recognition of the changing business profile in this area, the Department has previously requested Council undertake strategic review of land use zonings and planning controls in this area. This should be restated.

There are no inconsistencies with SEPPs.

The proposal is consistent with s.117 directions except:

1.1 - Business and Industrial Zones - could be read as Inconsistent as it allows non-industrial uses on industrial zoned land. However the underlying zone will not change, meaning the total potential floor space for industrial uses is technically not reduced.

4.4 - Planning for Bushfire Protection - consultation with RFS is required after which consistency with the direction should be reconsidered.

5.1 - Implementation of Regional Strategies - some inconsistency as discussed above.

6.3 - Site Specific provisions - inconsistent as it imposes a floor space cap on the site.

The Secretary should agree to any inconsistencies with directions 1.1, 5.1 and 6.3.

Environmental social economic impacts :

The Infrastructure SEPP requires consultation with the RMS for DAs for commercial premises of 10,000 m2. Given the DAs for use of the site may not individually trigger this requirement, and given the significant investment in road improvements adjacent to the site, consultation with RMS on the planning proposal should be required.

Assessment Process

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

WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use

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 :

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 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 : **Consult RFS and RMS.**

Update consideration of s117 direction 4.4 after consultation with RFS.

14 days community consultation.

No public hearing.

6 months to complete.

Plan-making delegation to Council.

Additional conditions for letter:

- agree to inconsistency with direction 1.1, 5.1 and 6.3
- Council is encouraged to undertake strategic review of zones in this area (as previously

WEST GOSFORD - Stockyard Place - Lot 32 DP 1171389 - Additional Permitted Use

requested in former DG's letter of 1 August 2012 on Riverside planning proposal enabling clause (PP_2012_GOSFO_005)).

Supporting Reasons :

Signature:



Printed Name:

G HOPKINS

Date:

3. 7. 2014