

**LISAROW, Pacific Highway - Lot 1 DP862725 Additional Permitted Uses for Bulky Goods
Premises and Office Premises**

Proposal Title :	LISAROW, Pacific Highway - Lot 1 DP862725 Additional Permitted Uses for Bulky Goods Premises and Office Premises		
Proposal Summary :	The proposal seeks to add bulky goods premises and office premises with a combined maximum floor area capped at 5,500m2 as additional permitted uses at Lot 1 DP 862725, Pacific Highway, Lisarow.		
PP Number :	PP_2014_GOSFO_016_00	Dop File No :	14/15031

Proposal Details

Date Planning Proposal Received :	03-Sep-2014	LGA covered :	Gosford
Region :	Hunter	RPA :	Gosford City Council
State Electorate :	THE ENTRANCE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	900 Pacific Highway		
Suburb :	Lisarow	City :	Postcode : 2250
Land Parcel :	Lot 1 DP862725		

DoP Planning Officer Contact Details

Contact Name :	Glenn Hornal
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RPA Contact Details

Contact Name :	Bruce Ronan
Contact Number :	0243258176
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DoP Project Manager Contact Details

Contact Name :	
Contact Number :	
Contact Email :	

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Central Coast Regional Strategy	Consistent with Strategy :	No

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MDP Number :

Date of Release :

Area of Release (Ha) : 0.00

Type of Release (eg Residential / Employment land) : N/A

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 :

External Supporting Notes :

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 : Council intends to achieve the objective by:

- amending Schedule 1 of Gosford LEP 2014 by including an additional item to permit bulky goods premises and office premises (capped at 5500m2) on the subject lot.
- including the lot on the Additional Permitted Uses Map.

The explanation of provisions provided is considered 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
- 2.3 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

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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 (Exempt and Complying Development Codes) 2008
SEPP (Infrastructure) 2007**

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 :

S117 DIRECTIONS

The proposal is consistent with all relevant S117 Directions except where discussed below:

1.1 Business and Industrial Zones

The proposal could be considered inconsistent with the direction as it will permit prohibited non-industrial uses on industrial zoned land. However, the underlying IN1 zone will not change therefore the total potential floor space for industrial uses would technically not be reduced. The Secretary could agree that the inconsistency with this direction is of minor significance.

4.3 Flood Prone Land

The proposal is inconsistent with the direction as it has the potential to permit a significant increase in the development of the land through the additional uses for bulky goods and office premises. Council has advised the site is subject to local overland flooding and there is higher potential risk from moving from an industrial to a commercial land use. Council has not addressed the inconsistency with the direction and has simply stated any future works or site use should comply with Council's DCP in relation to Water Cycle Management. Council is required to address the requirements of the direction and justify any inconsistency.

4.4 Planning for Bushfire Protection

The lot is identified as being bushfire prone and consultation with NSW Rural Fire Service is required before consistency with the direction can be determined.

5.1 Implementation of Regional Strategies

The planning proposal is inconsistent with some actions in the CCRS in regard to locating bulky goods premises on industrial land. However given the additional use will not alter the underlying industrial zone and industrial uses will still be permitted on the land the Secretary could agree the inconsistency with the direction is of minor significance.

6.3 Site Specific Provisions

The proposal is inconsistent with the direction as it imposes a floor space cap on the site for the additional uses. Council suggests the inconsistency is minor and justified as the overall integrity of the industrial zone is not compromised given the limitation on floor area as proposed. The availability of industrial land at Lisarow and maintaining the dominant industrial activity on the site is not considered to create a precedent given the site is sufficiently large to accommodate the additional uses. The Secretary could agree the inconsistency with the direction is of minor significance.

SEPPs

SEPP No 55—Remediation of Land

Council has advised the site is unlikely to be contaminated however in accordance with the SEPP will require a preliminary contamination report to be prepared.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The mapping provided is sufficient for assessment.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes 14 or 28 days. The planning proposal should be exhibited for a minimum period of 14 days.**

Additional Director General's requirements

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

If Yes, reasons : **TIMELINE**
Council anticipates the plan to be finalised in June 2015 (approximately 9 months) and this is supported.

DELEGATIONS
Council resolved to seek delegations for this planning proposal. Given the planning proposal is of local planning significance it is recommended Council be granted delegation to make the plan.

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 planning proposal will amend Gosford LEP 2014.**

Assessment Criteria

Need for planning proposal : **Council has advised the planning proposal is not the result of a strategic study or report.**

Council makes reference to its Employment Lands Investigation (2010) which is generally not supportive of the loss of industrial land and recommended bulky goods premises be discouraged within industrial areas. Council has sought to justify the inconsistency and advised bulky goods premises are generally not suitable on smaller industrial lots given the floor space and parking requirements needed. Consequently the only industrial land bulky goods can be located on is large lots.

Council also advised there is 9.6ha of vacant industrial land in the Lisarow Precinct. As the proposed cap of 5500m2 for the additional uses represents approximately 6% of the available IN1 land in Lisarow, it would not lead to a shortage of available industrial land.

The site is located on the fringe of Lisarow Village Centre and is proximate to Lisarow train station with main road frontage to the Pacific Highway. Council has advised there is enough existing on-site parking to accommodate the proposed uses. Given these locational attributes and the potential job creation from the additional uses whilst the underlying industrial zoning is retained it is considered there is planning merit in the

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Consistency with strategic planning framework :

planning proposal progressing.

Central Coast Regional Strategy (CCRS)

Council has identified an inconsistency with Action 5.9 which stated 'Ensure that bulky goods retailing is not located on industrial land and is located in centres and nominated nodes'.

Council has sought to justify this inconsistency by advising:

- there is approximately 9.6ha of vacant industrial zoned land at Lisarow (including parts of large lots that are undeveloped).
- building coverage within Lisarow precinct is lower than other precincts in Gosford LGA creating opportunities for businesses to expand their operation.
- the use of 5500m² for bulky goods and office premises represents 6% of the available IN1 zoned land in Lisarow and Council considers this is minimal and would not lead to a shortage of available industrial land in the area.

Although there is an inconsistency with the CCRS in terms of where bulky goods are located the proposal would still generate additional employment opportunities in close proximity to an identified village centre with good access links to public transport while retaining the industrial zoning and future employment lands potential of the site.

Employment Lands Investigation (2010)

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

"There appears to be no opportunity for expansion of the precinct though there does appear to be opportunities for intensification and maximisation of development potential. This could include sub-dividing some lots to create multiple smaller lots. The building coverage within the precinct is also relatively lower than other precincts in the Gosford LGA creating opportunities for business to expand operations onsite in the future." (p.82)

Given the large lot industrial site, restriction of floor area and location attributes as discussed above Council does not consider it inappropriate to locate the additional uses on the site. Council also refers to consistency with a similar approach for a previous LEP amendment (PP_2012_GOSFO_005_00) which permitted bulky goods on industrial land at West Gosford.

The Department considers it appropriate that Council undertake a strategic review of land use zonings and planning controls in and around Lisarow Village Centre, including Lisarow train station, and explore opportunities for better connectivity between the existing and future land uses in the vicinity.

Environmental social economic impacts :

ENVIRONMENTAL

Council has advised the site has sufficient on site parking to accommodate the additional uses. Council should consult with the Roads and Maritime Services given the site is located adjacent to the Pacific Highway and Transport NSW - Sydney Trains given the the site is located next to to a rail corridor.

ECONOMIC

Council has advised of its commitment to the revitalization of Gosford Regional Centre and locating office premises away from Gosford could be seen as contrary to that purpose. Council further advised that bulky goods premises are not readily located in Gosford on account of the large floor areas required and on-site vehicle accessibility requirements. However Council identified the planning proposal will have beneficial economic impacts on the local economy and result in an increase in jobs.

Council has indicated an economic study is required to ascertain the need for such uses (bulky goods and office premises) in Lisarow as well as the broader economic effects of the proposal. Given the additional office space is located on the fringe of an existing centre and Council consider the potential economic impacts for the additional uses are unknown, an economic study may provide some benefit to Council. However the economic

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study is considered to be a matter for Council to negotiate with the proponent rather than as a condition of the Gateway determination.

Assessment Process

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

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) : **NSW Rural Fire Service
Transport for NSW - Sydney Trains
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 :

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
Planning Proposal.pdf	Proposal	Yes
Council Resolution.pdf	Proposal	Yes
Council Report.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**
- 2.3 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**
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Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council is to update the planning proposal to include sufficient information to adequately demonstrate consistency with S117 Directions 4.4 Planning for Bushfire Protection.**
- 2. Council is to update the planning proposal to include sufficient information to adequately demonstrate consistency with S117 Directions 4.3 Flood Prone Land.**
- 3. Council is to satisfy the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land and demonstrate the site is suitable for rezoning once information on contamination has been obtained.**
- 4. The planning proposal be made publicly available for a minimum of 14 days.**
- 5. Consultation is required with:**
 - NSW Rural Fire Service,**
 - Roads and Maritime Services**
 - Transport NSW - Sydney Trains**
- 6. A public hearing is not required.**
- 7. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.**
- 8. Plan-making delegation should be delegated to Council for this planning proposal.**

Supporting Reasons : *

Signature:



Printed Name:

G HOPKINS Date: 17.9.2014