

Rezoning of industrial land at Isles Drive

Proposal Title : **Rezoning of industrial land at Isles Drive**

Proposal Summary : **The planning proposal seeks to amend the Coffs Harbour LEP 2013 by rezoning lands within the Isles Industrial Estate from a B5 Business Development zone to an IN1 General Industrial zone.**

PP Number : **PP_2015_COFFS_001_00**

Dop File No : **15/01035**

Proposal Details

Date Planning Proposal Received : **05-Jan-2015**

LGA covered : **Coffs Harbour**

Region : **Northern**

RPA : **Coffs Harbour City Council**

State Electorate : **COFFS HARBOUR**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **Isles Industrial Estate**

Suburb : **North Boambee Valley**

City : **Coffs Harbour**

Postcode : **2450**

Land Parcel : **Land at Isles Drive, Industrial Drive, Forge Drive, Elswick Place and Collison Place**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Jim Clark**

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha) : **24.36**

Type of Release (eg Residential / Employment land) : **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 :

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 adequately describes the intention of the planning proposal. The proposal seeks to amend the Coffs Harbour LEP 2013 by rezoning lands within the Isles Industrial Estate from a B5 Business Development zone to an IN1 General Industrial zone. Current lots within the B5 zone facing the Pacific Highway to the south of Isles Drive will retain the B5 zoning.**

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

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

Comment : **The explanation of provisions adequately addresses the intended method of achieving the objectives of the planning proposal. The proposal seeks to amend the LEP's Land Zoning Map for the subject lands and amend the Floor Space Ratio Maps by removing a floor space ratio of 0.5:1 from the subject lands.**

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

2.1 Environment Protection Zones

2.2 Coastal Protection

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

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 (Infrastructure) 2007**

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

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

If No, explain : **Refer to discussion below**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal contains maps illustrating the location of the site and are adequate for the purposes of a Gateway determination assessment. The proposal will require an amendment to the Land Zoning Map and Floor Space Ratio Map of the Coffs Harbour LEP 2013.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The planning proposal identifies the proposal as being of low impact and nominates a 28 day community consultation period. This is consistent with "A Guide to Preparing Local Environmental Plans", and is considered to be appropriate. The planning proposal states that a public notice will form part of the community consultation.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment : **The planning proposal includes a project timeline which estimates the completion of the planning proposal in May 2015. To ensure the RPA has adequate time to complete exhibition, reporting, and legal drafting it is recommended that a time frame of 9 months is appropriate.**

The RPA has indicated it expects an Authorisation to exercise delegation for this proposal given its minor nature. An Evaluation Criteria For the Delegation of Plan Making Functions has been provided. The proposal is considered to be consistent with the strategic planning framework, of a minor nature and of local planning significance. It is recommended that an Authorisation for the exercise of delegation be issued to the RPA.

The planning proposal satisfies the adequacy criteria by;

- 1. Providing appropriate objectives and intended outcomes.**
- 2. Providing a suitable explanation of the provisions proposed for the LEP to achieve the outcomes.**
- 3. Providing an adequate justification for the proposal.**
- 4. Outlining a proposed community consultation.**
- 5. Providing a project time line**
- 6. Completing the evaluation criteria for the delegation of plan making functions.**

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Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

The Coffs Harbour LEP 2013 was made on 27 September 2013. This planning proposal seeks an amendment to the Coffs Harbour LEP 2013.

Assessment Criteria

Need for planning
proposal :

The subject site was previously zoned as industrial land in the previous Coffs Harbour Local Environmental Plan 2000. The subsequent rezoning of the subject site for B5 Business Development was based on previous recommendations from the Coffs Harbour Industrial Land Strategy 2009 on the basis of existing demand, broad demand trends and supply analysis and land suitability at that time.

During the preparation of the Coffs Harbour Local Environmental Plan 2013 a significant amount of land in the Isles Industrial Estate area was vacant/undeveloped and would have been suitable for a large floor space bulky goods type development. However, in the intervening years much of the land has been developed for traditional industrial land uses. The B5 zoning has therefore created land use inequities as due to the surrounding land already being developed for industrial purposes the remaining land in this area of the industrial estate is not of a sufficient size to support a bulky goods development.

Concerns have also been raised by existing landowners as to the B5 zoning and its subsequent negative effect on their land values which has in turn made it difficult to sell, tenant and/or expand existing enterprises. A submission to the proposal from a local real estate agent reiterates the sentiments of the landowners whilst also adding that the relative demand for industrial uses is now greater than for bulky goods retail.

The proposal seeks to rezone 24.36ha of land within the Isles Industrial Estate from a B5 Business Development zone to an IN1 General Industrial zone but retain the 4.35ha of B5 zone on lots facing the Pacific Highway to the south of Isles Drive.

The proposal to rezone the subject site and subsequently amend the Coffs Harbour LEP is the most appropriate means of achieving the intent of the planning proposal. The permissible uses within the B5 zone are more limited than the IN1 zone and as such a rezoning will enable a wider range of employment generating land uses that will give more certainty to potential investors and developers in the Isles Industrial Estate.

The subject land is well suited to the proposed IN1 zoning having easy access to the Pacific Highway as well as being readily serviced with reticulated water and sewer and connected to the electrical grid and telecommunications networks. The proposed rezoning is not expected to have a detrimental effect on existing land uses as a land use survey conducted by the RPA identified that existing developments would be permissible in the IN1 zone.

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Consistency with strategic planning framework :

Mid North Coast Regional Strategy (MNCRS).

The proposal is consistent with the MNCRS. The subject site is located within the Coffs Harbour Growth Area of the strategy as existing employment land. The strategy designates Coffs Harbour as a major regional centre within the Mid North Coast region and recommends that industrial land be focussed in these areas to support their future growth. The strategy states that Coffs Harbour requires an additional 86 hectares of industrial land within the next 25 years and rezoning of the subject site could contribute to achieving this figure.

Consistency with Council's Local Strategies.

The RPA's Industrial Lands Strategy (ELS) 2009 acknowledges the potential for more intensive industrial uses at the Isles Industrial Estate.

The RPA's Business Centres Hierarchy Review 2011 has revealed that there is an adequate supply of land zoned for bulky goods retailing and recommends that no further land be made permissible for this land use for at least 10 years. Taking this into account although the loss of B5 zoned land is considerable it is not felt that the proposal would adversely affect employment opportunities in the area. The IN1 zone permits a greater range of employment generating land uses.

The RPA's Local Growth Management Strategy states that there is a need to make allowances to increase employment lands within the LGA.

The Coffs Harbour 2030 Plan seeks to encourage developments that provide career opportunities and increase workforce participation.

The proposal complies with all of these strategic documents.

SEPPs

The Planning Proposal is considered to be consistent with all applicable SEPPs including SEPP 71 Coastal Protection. The subject site is located within the Coastal Zone, and is therefore subject to the provisions of SEPP 71. The Planning Proposal satisfactorily addresses the matters for consideration under Clause 8 of the SEPP.

S117 Directions.

The following S117 directions are applicable to the proposal, 1.1 Business and Industrial Zones, 2.1 Environmental Protection Zones, 2.2 Coastal Protection Zones, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land, 4.4 Planning for Bushfire Protection and 5.1 Implementation of Regional Strategies.

There is an inconsistency with S117 Direction 1.1 Business and Industrial Zones which is considered to be minor and justified as discussed below.

1.1 Business and Industrial Zones

The planning proposal is not consistent with this direction as the rezoning would reduce the total potential floor space for employment uses permitted in the B5 business zone. However, this is considered acceptable as the RPA's Business Centres Hierarchy Review 2011 has highlighted that there is an adequate supply of B5 zoned land elsewhere. An increase in industrial floorspace would result from the proposal, contributing to the industrial land supply figure identified in the MNCRS. It is therefore considered that the inconsistency is of minor significance and is justified in accordance with the terms of the direction.

Environmental social economic impacts :

The subject land is urban zoned land within a functioning industrial estate. The land does not contain any significant native vegetation and there is no likelihood that the proposal

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will adversely affect critical habitat or threatened species, populations or ecological communities or their habitats.

The land is not affected by known environmental hazards and the proposed rezoning will not have any adverse environmental effects.

The proposal could provide an economic use for the land, which has remained largely vacant and disused for many years, whilst also providing additional employment opportunities for the local community. With Coffs Harbour requiring further industrial land provision under the MNCRS and there being a current oversupply of land for bulky goods in the area the proposal would present appropriate development opportunities to contribute to the area's economic growth.

Through not rezoning the whole of this area of the industrial estate this would provide opportunities for B5 zone development in the highest visibility location fronting the Pacific Highway. The proposal would enable bulky goods retailing to continue to develop whilst also providing greater scope for the continued operation of industrial uses in this strategic location.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

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

Public Authority
Consultation - 56(2)
(d) :

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
2015-01-05 Council meeting 18 December 2014.pdf	Proposal	Yes
2015-01-05 Evaluation criteria for the delegation of plan making functions.pdf	Proposal	Yes

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2015-01-05 Planning proposal Decemeber 2014.pdf	Proposal	Yes
2015-01-05 Preliminary Review of B5 zoning Isles Industrial Estate November 2014.pdf	Study	Yes
2015-01-05 Covering Letter.pdf	Proposal Covering Letter	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
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies

Additional Information :

- 1. The planning proposal should proceed as a 'routine' planning proposal.
- 2. A community consultation period of 28 days is necessary.
- 3. The planning proposal is to be completed within 9 months.
- 4. No consultation with State agencies is considered necessary.
- 5. A written authorisation to exercise delegation is issued to Coffs Harbour City Council.
- 6. A delegate of the Secretary agrees that the inconsistency of the proposal with S117 Direction 1.1, is justified in accordance with the terms of the direction.

Supporting Reasons :

- 1. The proposal will provide for additional employment generating opportunities in the Coffs Harbour LGA and could provide a more appropriate economic use for the land, which has largely remained vacant and disused.
- 2. The proposal is consistent with the Mid North Coast Regional Strategy and Council's strategies.
- 3. The inconsistency of the proposal with S117 Direction 1.1 Business and Industrial Zones is considered to be justified in accordance with the terms of the direction.

Signature:



Printed Name:

PAUL CARVETT

Date:

14/1/15

Acting Team leader Local Planning

