

SC19/01 PLANNING PROPOSAL TO REZONE LAND - LOT 111 DP 730304, 7 TASMAN STREET, CORINDI BEACH - VERSION 1 PRE GATEWAY DETERMINATION

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MyCoffs:	C.1 Liveable neighbourhoods with a defined identity
Attachments:	ATT1 SC19/01 Planning Proposal to Rezone Land - Lot 111 DP 730304, 7 Tasman Street, Corindi Beach - V1 Pre Gateway Determination ATT2 SC19/01 Draft Coffs Harbour Development Control Plan 2015 - Amendment No. 12 (7 Tasman Street, Corindi Beach)

EXECUTIVE SUMMARY

An application has been received by Council to amend *Coffs Harbour Local Environmental Plan (LEP) 2013* to enable low density residential development and tourist and visitor accommodation (a motel) on 7 Tasman Street, Corindi Beach (Lot 111 DP 730304).

The subject land is one of the last remaining significant greenfield sites in the coastal village of Corindi Beach. The land is included in the growth area footprint of Council's *Local Growth Management Strategy (Urban Lands Component 2008)* and *North Coast Regional Plan 2036*.

The purpose of this report is to seek Council's endorsement to initiate a Planning Proposal (Attachment 1) to amend *Coffs Harbour LEP 2013* to rezone the subject land from Zone RU2 Rural Landscape to Zone R1 General Residential and R2 Low Density Residential.

This report also seeks Council's endorsement to amend *Coffs Harbour Development Control Plan (DCP) 2015* (Attachment 2) to align with the proposed land use zones.

RECOMMENDATION:**That Council:**

1. **Endorse and forward a Planning Proposal (Attachment 1) to rezone land on Lot 111 DP 730304, 7 Tasman Street, Corindi Beach to NSW Planning and Environment seeking a "Gateway Determination".**
2. **Request that the Secretary of NSW Planning and Environment issue a written authorisation to Council to exercise delegation of the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act in respect of the Planning Proposal.**
3. **Resolve to publicly exhibit the Planning Proposal and undertake government agency consultation based on the Gateway Determination issued by NSW Planning and Environment.**
4. **Resolve to publicly exhibit *Draft Coffs Harbour Development Control Plan 2015 - Amendment No. 12 (7 Tasman Street Corindi Beach)* (Attachment 2) concurrently with the associated Planning Proposal.**
5. **Note that a further report will be brought back to Council for consideration following public exhibition of the Planning Proposal and *Draft Coffs Harbour Development Control Plan 2015 - Amendment No. 12*.**

REPORT

Description of Item:

An application to amend *Coffs Harbour LEP 2013* has been received by Council to enable low density residential development and tourist and visitor accommodation (a motel) on 7 Tasman Street, Corindi Beach (Lot 111 DP 730304). The proposed land uses are currently prohibited within Zone RU2 Rural Landscape under *Coffs Harbour LEP 2013*.

The application has been subject to a peer review by Council's Local Planning Section and has been determined to have merit as it accords with Council's adopted and endorsed Local Growth Management Strategy. In this regard, a Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* ('The Act') to initiate an amendment to *Coffs Harbour LEP 2013* and is provided as Attachment 1 to this report.

- **The Subject Land:**

The Planning Proposal affects land at 7 Tasman Street (Lot 111 DP 730304) Corindi Beach (Figure 1).



Figure 1 – Subject Land

The subject land is located on the south-western interface of Corindi Beach. The 4.3ha site slopes gently from the north to the south and is currently occupied by the Amble Inn (tavern) at the northern extremity of the site, while the remainder of the land is vacant. A dwelling (1 Coral Street) is located adjacent to the north of the land, while a large low density residential development is located further to the north and immediately to the east of the subject land.

An area of undeveloped land within Zone B1 Neighbourhood Centre under *Coffs Harbour LEP 2013* is also located immediately to the east. The old Pacific Highway is located to the west of the subject land, with the realigned Pacific Highway further to the west. Environmentally constrained land, including wetlands are located to the south and south-east of the subject land.

The subject land is included within the *Coffs Harbour Local Growth Management Strategy (Urban Lands Component 2008)* as an "investigation area for a future motel" and was endorsed by the then NSW Planning on 18 November 2009. It is also identified within the *North Coast Regional Plan 2036* as an "Investigation Area – Urban Land".

- **Existing / Proposed Zoning of the Subject Land**

The subject land is within Zone RU2 Rural Landscape under *Coffs Harbour LEP 2013*. An existing non-conforming use (Tavern) is located on the northern part of the subject land. Whilst this land use was permissible when it was developed on the land under a previous planning instrument, the land use is now defined as a 'Pub' under *Coffs Harbour LEP 2013* which is prohibited within Zone RU2 Rural Landscape.

The proposal to rezone the land will facilitate the ongoing operation of the Tavern and allow ancillary development of motel accommodation and other uses commonly associated with a Pub. The application of Zone R1 General Residential under *Coffs Harbour LEP 2013* is considered appropriate for the northern part of the subject land as it permits a number of compatible land uses, including a motel. The remainder of the subject land is vacant surplus land that is proposed for low density residential development.

Accordingly, the planning proposal seeks to rezone the subject land to Zone R1 General Residential and Zone R2 Low Density Residential under *Coffs Harbour LEP 2013*.

A two lot subdivision of the land was approved by Council in March 2013 (0825/12DA). The resulting subdivision lot configuration corresponds with the proposed land use zones within the Planning Proposal.

Existing and proposed zones are shown in Figure 2.

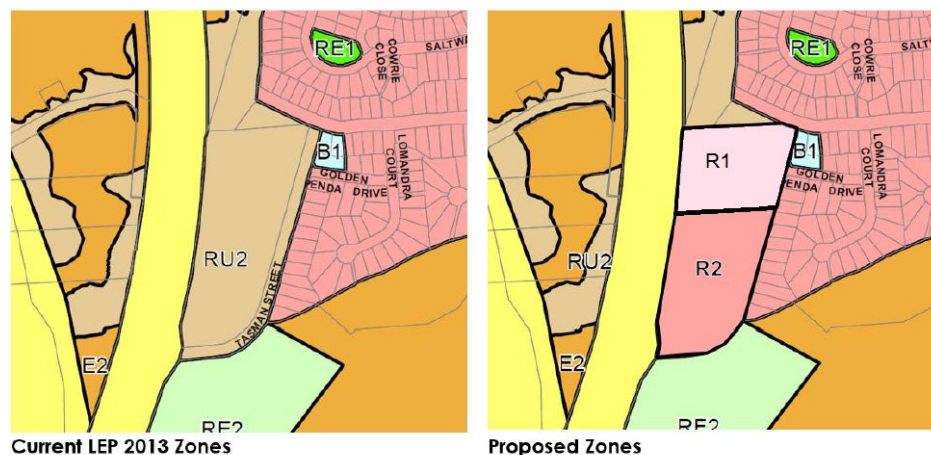


Figure 2 – Existing and Proposed Land Use Zones

Issues:

- **Local Growth Management Strategy**

The proposed amendment to *Coffs Harbour LEP 2013* is consistent with the *Coffs Harbour Local Growth Management Strategy (Urban Lands Component 2008)*, which was endorsed by the then NSW Planning on 18 November 2009.

The proposed rezoning will assist to strengthen the sense of place; deliver housing diversity and choice; provide walkable neighbourhoods; and support economic and social functions of local centres.

Further, the subject land can be efficiently serviced and has access to established centres through its proximity to the village of Corindi Beach and the Pacific Highway. Potential future amenity impacts between the pub/motel and the proposed low density residential development to the south (and east) have been discussed in the Planning Proposal (Attachment 1).

- **Motel Development**

The subject land contains a Tavern which was approved by the former Ulmarra Shire Council in 1986. At the time, overnight accommodation was also included in the approved plans, which showed six motel units as a second stage.

Since the adoption of the *Coffs Harbour Local Growth Management Strategy (Urban Lands Component)* in 2008 and its endorsement by the then NSW Planning in 2009, the Woolgoolga to Wells Crossing Pacific Highway deviation project has been completed and the capacity of services infrastructure within the area has significantly improved.

The subject land received an approval for a two lot subdivision in 2013, however no formal process has been initiated in relation to a motel development. From a locational perspective, the land is seen as a suitable location for a motel development for the following reasons:

- suitable road network access;
- availability of utility services;
- allotment size;
- absence of environmental hazards and constraints;
- proximity to existing residential and business land; and
- proximity to the coastline and beach.

Options:

Council has two options in relation to this matter as follows:

1. Resolve to adopt the recommendations of this report and initiate the Planning Proposal.
Comment: *This option supports and implements Council's Local Growth Management Strategy.*
2. Resolve not to adopt the recommendations of this report and not to initiate the Planning Proposal.
Comment: *This option does not achieve the objectives of Council's Local Growth Management Strategy.*

It is recommended that Council pursue Option 1.

Sustainability Assessment:

- **Environment**

Environmental sustainability issues are summarised in the Planning Proposal provided as Attachment 1 to this report. Environmental sustainability issues are also required to be addressed as part of any future development application should the planning proposal be initiated.

- **Social**

Social sustainability issues are summarised in the Planning Proposal provided as Attachment 1 to this report. The proposed land use zones would make a positive contribution to the growth of Corindi Beach. The new land use zones would provide additional land for residential, and tourist and visitor accommodation uses, while also recognising the existing Tavern on the site and supporting its ongoing operation and enhancement.

The additional residential lots will add to housing choice and increased land stock in the locality. The proposal is not considered to place unreasonable demands on existing social services in the Corindi Beach village or the immediate area.

- **Civic Leadership**

The Planning Proposal accords with relevant objectives and associated strategies of the MyCoffs (Community Strategic) Plan.

- **Economic – Broader Economic Implications**

In terms of capital investment, additional land for residential, and tourist and visitor accommodation uses has the potential to generate additional income and employment for the local economy.

- **Economic - Delivery Program/Operational Plan Implications**

The proposed amendment to *Coffs Harbour LEP 2013* is a proponent led project, therefore Council's adopted fees and charges apply. In this regard there are no implications for Council's Delivery Program or Operational Plan as this process is funded by the applicant.

Risk Analysis:

The Planning Proposal provided as Attachment 1 to this report addresses the constraints that affect the land, sufficient to allow Council to support the application and initiate the Planning Proposal to the Gateway Determination stage. The Planning Proposal demonstrates that the constraints affecting the land can be managed effectively, therefore minimising associated risks.

Consultation:

Should Council resolve to initiate the Planning Proposal and a Gateway Determination is subsequently issued by NSW Planning and Environment, the proposal is required to be exhibited in accordance with the Gateway Determination and relevant provisions of The Act. Consultation with Government agencies and other stakeholders may also be required if specified within the Gateway Determination.

Related Policy, Precedents and / or Statutory Requirements:

The following policies and statutory documents are relevant to this report and have been considered in the preparation of the Planning Proposal:

- Environmental Planning and Assessment Act 1979 and Regulations;
- State Environmental Planning Policies (SEPPs);
- Section 9.1 Ministerial Directions;
- North Coast Regional Plan 2036;
- My Coffs Community Strategic Plan;
- Coffs Harbour Local Growth Management Strategy;
- Coffs Harbour Local Environmental Plan 2013; and
- Coffs Harbour Development Control Plan 2015.

Implementation Date / Priority:

Should Council resolve to initiate the Planning Proposal, it will be immediately forwarded to NSW Planning and Environment, requesting a Gateway Determination. The timeframe for the completion of this Planning Proposal is governed by the Act and thus is determined by NSW Planning and Environment.

Conclusion:

The purpose of this report is to seek Council's endorsement to initiate a Planning Proposal to amend *Coffs Harbour LEP 2013* to rezone 7 Tasman Street, Corindi Beach from Zone RU2 Rural Landscape to Zone R1 General Residential and R2 Low Density Residential.

The proposed LEP amendment accords with the *North Coast Regional Plan 2036* and Council's adopted and endorsed Local Growth Management Strategy. The proposal would make a positive contribution to the growth of Corindi Beach and provide additional land for residential, and tourist and visitor accommodation uses, whilst also recognising the existing Tavern on the subject land and supporting its ongoing operation and enhancement.