
REPORT OF GENERAL MANAGER

DEVELOPMENT COMMITTEE

TUESDAY, 2 JUNE 2015

PLANNING AND DEVELOPMENT

ITEMS TO BE DEALT WITH UNDER DELEGATION OF COUNCIL

1. **Planning Proposal (Rezoning) - 149 and 151 Larmer Avenue, Sanctuary Point (SET Consultants Pty Ltd for Macey) File 50556E (PDR)**

SECTION MANAGER: Gordon Clark.

PURPOSE:

To obtain direction on a Planning Proposal (PP) that has been submitted for 149 and 151 Larmer Avenue, Sanctuary Point.

RECOMMENDED, in accordance with the Committee's delegated authority from Council, that the Committee:

- a) **Support the Planning Proposal (Rezoning) for 149 and 151 Larmer Avenue, Sanctuary Point in principle and proceed to submit it to the Department of Planning & Environmental for the initial Gateway determination.**
- b) **Advise the proponent, adjacent land owner and the local CCB (Basin Villages Forum) of this decision, noting the opportunity for formal comment later in the process.**
- c) **If necessary, receive a further report following receipt of the Gateway determination.**

OPTIONS

1. Support the PP as per the recommendation. This will enable staff to prepare and submit the PP to the Department of Planning and Environment (DP&E) for the initial Gateway determination.
 2. Adopt an alternative or revised recommendation. This could mean delays in processing the PP which could trigger a possible pre-Gateway review by the proponent.
 3. Not consider the PP and provide direction to staff. This may also trigger a possible pre-Gateway review by the proponent.
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DETAILS

Background

Council has received a PP from SET Consultants Pty Ltd on behalf of the landowner Mr J Macey and Others to rezone 149 and 151 Larmer Avenue, Sanctuary Point (as outlined in red in Figure 1) to allow for future extension and better traffic management of the existing service station currently located at 141-147 Larmer Avenue.

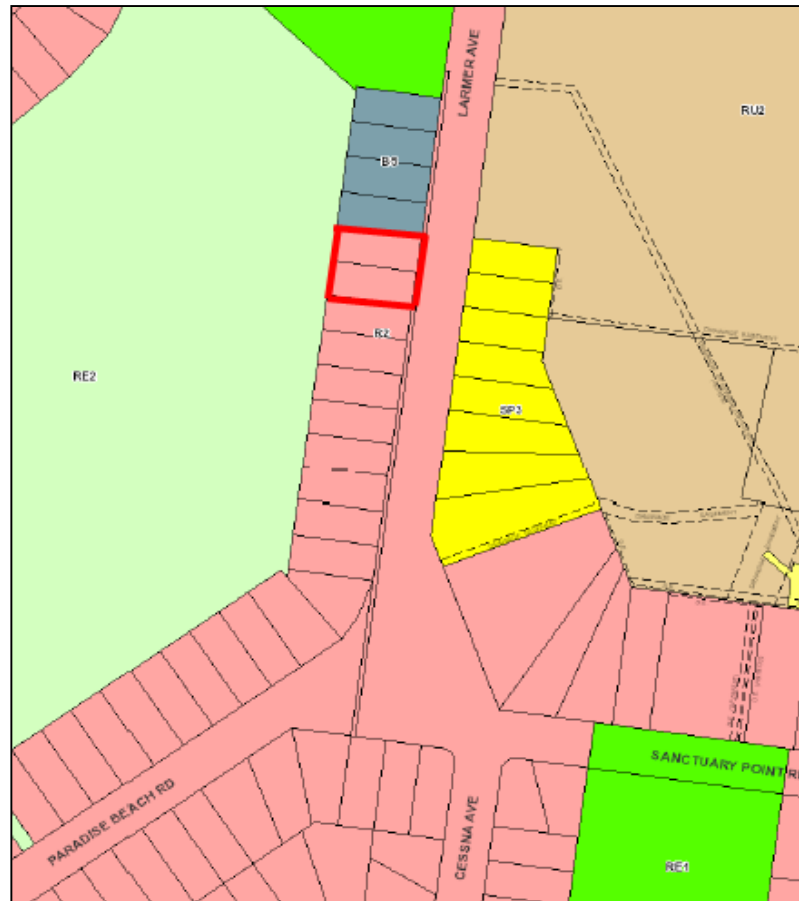


Figure 1 - Subject Lots

Prior to receiving the PP, a pre-lodgement meeting was held between the proponent and Council staff. Staff advised that the proposed rezoning could be considered subject to the lodgement of a formal PP, consideration of potential traffic impacts on Larmer Avenue and preliminary consultation with the adjoining and most directly affected residential land owner to the south (153 Larmer Avenue). The PP was subsequently received on 20 February 2015.

Rezoning Proposal

The PP seeks to rezone the two lots from R2 Low Density Residential to B5 Business Development under the Shoalhaven Local Environmental Plan (SLEP) 2014 consistent with the existing adjoining zone. The PP notes that there is a need to increase the size of the existing service station to allow for improved service and traffic flow in and out of the site.

The PP also proposes to remove the minimum lot size and maximum building height development standards. Whilst the maximum building height development standard would

be removed, Clause 4.3(2A) would set the maximum height for any building on the subject sites to 11 metres. Removing the minimum lot size and maximum building height would ensure consistency of the B5 zone with the existing business zone provisions under SLEP 2014. A copy of the proponents PP document is provided in the Councillors Information Folder for today's meeting.

Detailed studies have not been completed to support with the PP. Should Council provide in principle support for the submission of the PP for Gateway determination, then depending on the outcome, any required studies will be undertaken as part of complying with the conditions in the determination.

Adjoining Neighbour Consultation

As this proposal is quite specific, staff advised the proponent to discuss it initially with the adjacent and most affected property owner (153 Larmer Avenue). Should the PP proceed further, then more widespread and formal consultation will occur with surrounding landowners as part of the process.

The proponent wrote to the affected land owner on 24 March 2015 and visited the property on numerous occasions between late March through to early April, however their attempts to make contact have been unsuccessful.

Council also wrote to the land owner on 15 April 2015 to advise of the lodgement of the PP. At the time of writing this report, no response has been received from the landowner.

A copy of the correspondence to the adjoining landowner is provided in the Councillor's Information Folder for today's meeting.

Relevant Strategies

The following strategies are relevant to this location and the consistency of the PP with them is discussed below.

Jervis Bay Settlement Strategy (JBSS)

The JBSS applies to the Jervis Bay Region and establishes a set of principles to manage growth in the Region. The settlement hierarchy identifies Sanctuary Point as a 'town' which provides a range of local services and variety of employment opportunities. The requested extension of the B5 zone will maintain the level of local services provided, however will provide opportunity for the more efficient operation of the existing service station in the future (subject to future Development Consent). This will allow this service to keep up with future demand created by ongoing development in this location.

The PP is not inconsistent with the JBSS.

South Coast Regional Strategy (SCRS)

The SCRS is a high level strategic planning document which currently applies to Shoalhaven. The SCRS addresses the provision of suitable land for employment and housing needs. The Vincentia district, including Sanctuary Point is identified as a 'Major Town' under the SCRS. In order to address economic development and employment growth, the SCRS sets actions to protect and add to employment in existing economic

centres, including major towns, by considering zoning changes that address concerns with respect to constraints and specific opportunities.

The PP notes that the extension to the service station will meet the demands of future population growth given that it is the only service station in the Sanctuary Point area and one of four service stations in the Vincentia district. This is demonstrated by the current servicing trends identified in the proponent's proposal of approximately 68 vehicles per hour in the morning and 49 vehicles per hour in the afternoon, during a non-holiday week.

The PP is not inconsistent with the SCRS.

Once the Illawarra Region Growth and Infrastructure (IRGIP) is finalised, the SCRS will no longer be relevant. The strategies related to employment and economic development in the Vincentia district in the draft IRGIP did not significantly change to that of the SCRS. Therefore the PP is not inconsistent with draft IRGIP.

Community Strategic Plan – Shoalhaven 2023 (CSP)

The CSP identifies objectives and strategies for prosperity in Shoalhaven and creating opportunities for growth to existing services. The proponent's PP notes that the rezoning of the land will satisfy Objective 3.2 and its associated Strategy 3.2.4 to provide 'an economy that supports and is supported by growing, diverse and changing communities', and 'advocate for infrastructure improvements to support economic activity and investment.

The PP is not inconsistent with the CSP.

Key Issues

An initial review of the PP has identified the following key issues related to traffic, amenity and economic impacts. The key issues identified will need to be addressed or outlined in detail in the Gateway submission should Council support the advancement of the PP.

Traffic Impact

If the PP receives a Gateway determination, a traffic assessment should subsequently be completed. The traffic assessment should investigate left and right turn manoeuvres into the site to ascertain the impact on through traffic on Larmer Avenue. The findings of the assessment will need to recommend appropriate left and right turn treatments and ensure that any traffic impacts can be appropriately managed should the rezoning proceed.

Amenity Impact

The extension of the existing B5 Business Development zone and the future development of the site to increase the size of the existing service station may impact on the existing amenity of the area. Factors including odour, lighting and other impacts which may have a burden on the existing residential amenity should be considered in detail as part of any future development application.

Economic Impact

The subject land is approximately 950 metres north of the Sanctuary Point local centre. The PP notes that the goods and services available within the local centre differ to the services provided by the existing service station and any future extension to the service station. In addition, rezoning the subject land to B5 Business Development rather than B2 Local Centre will restrict any potential economic competition with the existing centre in Sanctuary Point and the Vincentia district. Any potential impact on the Sanctuary Point

local centre and surrounding business centres in the Vincentia district should be considered in detail as part of any future development application.

CONCLUSION:

The PP submitted by the proponents seeks to rezone 149 and 151 Larmer Avenue, Sanctuary Point from R2 Low Density Residential to B5 Business Development under Shoalhaven LEP 2014. The PP also seeks to remove the current minimum lot size and maximum building height overlays.

The proposal is generally consistent with relevant strategies and will provide an opportunity to expand on an existing and well used local service. As such it is worthy of support to enable it to proceed further.

Should the Gateway determination support the continuation of the PP, it will detail any further studies that are to be undertaken and the State Government agencies to be consulted.

FINANCIAL IMPLICATIONS:

The proponent has paid the initial PP lodgement fee in accordance with Council's Fees and charges. The proponent is also required to fund or undertake any studies associated with the PP following the Gateway determination (e.g. traffic). Staff resources are also required to progress the proposal.

Fees for the remaining stages of the PP will be charged in accordance with Council's fees and charges.

COMMUNITY ENGAGEMENT:

The proponent and Council attempted to contact the adjacent residential landowner to discuss the proposal and invite any preliminary comments. No response has been received to date.

If the PP received Gateway determination and proceeds into the process, the determination will outline the statutory exhibition requirements in accordance with the relevant legislation. This will involve notifying all adjoining landowners, the local CCB and other interested parties.

MINUTES OF THE DEVELOPMENT COMMITTEE MEETING HELD ON TUESDAY, 2 JUNE, 2015 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4:04 PM.

2. Planning Proposal (Rezoning) - 149 and 151 Larmer Avenue, Sanctuary Point (SET Consultants Pty Ltd for Macey) File 50556E (PDR)

MOTION:

Moved: Wells / Second: Gash

RESOLVED that, in accordance with the Committee's delegated authority from Council, that the Committee:

- d) Support the Planning Proposal (Rezoning) for 149 and 151 Larmer Avenue, Sanctuary Point in principle and proceed to submit it to the Department of Planning & Environmental for the initial Gateway determination.
- e) Advise the proponent, adjacent land owner and the local CCB (Basin Villages Forum) of this decision, noting the opportunity for formal comment later in the process.
- f) If necessary, receive a further report following receipt of the Gateway determination.

CARRIED

FOR: Kearney, Anstiss, Gash, Wells, Baptist, Findley, Watson, Kitchener, White and Russ Pigg.

AGAINST: Nil.
