

9.1. Planning Proposal for Lots 33 and 34 DP 243029 Corner of Tura Beach Drive and Sapphire Coast Drive, Tura Beach

The purpose of this report is to seek endorsement to lodge a Planning Proposal with the Department of Planning for Gateway Determination.

Director Community, Environment and Planning

Officers Recommendation

1. That Council resolve to support the Planning Proposal to rezone Lots 33 and 34 DP 243029, Corner Tura Beach Drive and Sapphire Coast Drive, Tura Beach to a B5 Business Development Zone.
2. That Council officers be authorised to forward the Planning Proposal to the Department of Planning for Gateway Determination.
3. That following Gateway Determination, the Planning Proposal be placed on public exhibition.
4. That should no submissions be received during the exhibition period, officers progress the Planning Proposal to finalisation and gazettal without a further report to Council.

Executive Summary

Bega Valley Shire Council (Council) has received a Planning Proposal from DFP Planning Consultants on behalf of Bunnings Pty Ltd to rezone Lots 33 and 34 DP 243029 to B5 Business Development Zone to permit bulky goods type development. Currently the subject land is a deferred matter under Bega Valley Local Environmental Plan 2013 (VLEP2013) and zoned 1(c) Rural Small Holdings Zone under Bega Valley Local Environmental Plan 2002 (BVLEP 2002) with bulky goods type development prohibited in the zone.

Background

As part of the Draft Bega Valley Local Environmental Plan 2010 process, Council proposed to zone the site R2 Low Density Residential. A submission was received during exhibition requesting the consideration of R3 Medium Density Residential Zone, which was supported by Council. A further submission was subsequently received requesting a B5 Business Development Zone and Council resolved at the 12 February 2014 meeting to support this request.

A Gateway Determination was issued by the Department of Planning that determined the Planning Proposal should not proceed as it did not adequately consider the Local and Regional Planning Strategies, nor were the potential impacts of a B5 zoning in this location assessed or justified.

A Planning Proposal was subsequently lodged in February 2016 requesting a rezoning to a B5 Business Development Zone that was accompanied by an Economic Impact Assessment. The Planning Proposal was supported by Council and forwarded to the Department of Planning for Gateway Determination. The Department of Planning determined that the Planning Proposal should not proceed as inadequate consideration was given to the Local and Regional Planning Strategies.

The applicant for the Planning Proposal sought a review of the Gateway Determination by the Southern Joint Regional Planning Panel (SJRPP). The Panel considered the matter on 2 February 2017 and recommended the following;

- Zoning the site to R5 Large Lot Residential.
- Permitting the use of hardware and building supplies with the approval as an additional Schedule 1 use over a portion of the site only (to ensure mandated setback and transition to use adjoining aged care facility).
- Imposing controls such as floor space ratio (FSR) and Height is included in the LEP in relation to this site to mitigate impacts and provide a limit to development.
- Include controls in the Development Control Plan (DCP) to address, landscape, siting, setbacks of structure, finished levels, acoustic requirements, light and light spill and hours of operation.

The Panel recommended Council finalise its strategic work in respect to the location of employment lands and commercial hierarchy to determine the appropriate strategic framework for the site and the function of the Tura Beach Centre. With appropriate limits on use and appropriate measures to mitigate potential impact on neighbouring land uses, a Bunnings Store could be accommodated on this site without significant detrimental impacts on the hierarchy of centres.

Consultation was undertaken with the Department of Planning to clarify the strategic work required and a Commercial Centres Strategy Review was prepared for the Merimbula, Pambula and Tura Beach catchments, which was adopted by Council on 21 February 2018. This strategic work identified the suitability of Lots 33 and 34 DP 243029 for a B5 zoning subject to specific design considerations.

Design Considerations

Specific design requirements have been included within the Commercial Centres Strategy Review to address the design related recommendations of the SJRPP. These design considerations were endorsed by the Department of Planning on 15 May 2018. The design considerations provide detailed design criteria to guide future development including the built elements, colours and materials, landscaping and amenity within the context of this gateway site.

The Planning Proposal has been amended to address the Commercial Centres Strategy Review. Revised concept plans were requested to demonstrate that any future development of the site is consistent with the gateway location. Revised plans were submitted on 3 August 2018 that demonstrate a commitment from the applicant to fulfil these requirements to achieve a better design outcome. More detailed information concerning traffic flow and the integration of natural materials, landscape treatments, fencing and the screening of plant and machinery will be required as part of any future Development Application.

Community Engagement

Gateway Determination approval will advise Council of the community and agency consultation required to be carried out.

Conclusion

The purpose of this report is to seek Council endorsement to present the Planning Proposal to the Department of Planning to rezone the subject land to B5 Business Development zone. Additional strategic work has been completed to satisfy the requirements of the Department of Planning and a Commercial Centres Strategy Review has been prepared and adopted that recommends a B5 Business Development Zone.

Attachments

- 1 [↓](#). Description of the Site
- 2 [↓](#). Photos of the Site
- 3 [↓](#). Existing Zoning
- 4 [↓](#). Proposed Zoning
- 5 [↓](#). Planning Proposal

Council

Item 9.1 - Attachment 1

29 August 2018

Description of the Site
