

8.1. Planning Proposal for Rural Residential Land South Pambula

This report seeks Council's resolution to submit a draft planning proposal for two deferred matters at South Pambula to the Department of Planning, Industry and Environment for Gateway Determination, based on the zoning and lot sizes detailed in this report.

Director Community Environment and Planning

Officer's Recommendation

1. That Council submit the Rural Residential Land South Pambula Planning Proposal (Attachment 1) to the Department of Planning, Industry and Environment for Gateway Determination.
3. That following Gateway Determination, the Planning Proposal be placed on public exhibition.
4. That at the conclusion of the exhibition period, Council officers prepare a further report to Council if material amendments to the Planning Proposal are required to address submissions received during the exhibition period.
5. That should no material changes to the Planning Proposal be required in response to submissions received during the exhibition period, Council officers progress the Planning Proposal to finalisation and gazettal without a further report to Council.

10

Executive Summary

The purpose of this report is to seek Council's approval for the deferred sites at South Pambula to be included in a Planning Proposal for lodgement with the Department of Planning, Industry and Environment.

Council's Rural Residential Strategy identifies South Pambula as an area suitable for rural residential expansion, including both subject sites. This draft Planning Proposal will result in an additional 22 rural residential lots potentially being able to be approved through future subdivision development applications.

20

It is important to highlight that both sites have challenges with regard to access to the Princes Highway and this will require consultation with the NSW Roads and Maritime Service as part of the assessment of this Planning Proposal.

Background

The gazettal of *Bega Valley Local Environmental Plan* (BVLEP) 2013 resulted in a number of sites that were identified as 'deferred matters', that would be subject to further assessment and consideration by Council, including the two sites the subject of this report.

This report seeks a Council resolution to include the two subject sites in a Planning Proposal, with the amended zoning and lot sizes described in Table 1, for lodgement with the Department of Planning, Industry and Environment.

Table 1 - Property descriptions of subject land and proposed amendments

Site	Description	Current Zones (2002)	Exhibited Zones (2011)	Amended Zones (2019)	Exhibited Lot Sizes (2011)	Amended Lot Sizes (2019)	Lot Yield
1	LOTS 451-452 DP 747031, PART LOT 1 DP 1088971 and PART LOT 453 DP 747031	1(a)	RU2	E4	120HA	5HA	2 Lots existing 2 Lots additional
	PART LOT 453 DP 747031	1(a)	RU2	E4	120HA	1HA	5 Lots
2	LOT 711 DP 1128593	1(a)	RU2	E4 and E2	120HA	2HA 8HA	12 Lots 1 Lot
	TOTAL						22 Lots

30

These sites were originally included as part of the Southern Rural Residential Zones Planning Proposal, which was submitted to the Department of Planning in 2014. The Department provided advice to Council on 18 December 2014 encouraging the withdrawal of this Planning Proposal until such time as a strategic assessment of the rural residential potential in the Bega Valley Shire was completed. Following this advice, Council resolved, at its meeting of 13 December 2017:

“That the matter be deferred until the report to Council on the Rural Lands Strategy is considered”.

40

A Rural Residential Strategy has now been prepared, which includes South Pambula as an area suitable for rural residential expansion, including both subject sites. This draft Strategy was considered by the NSW Department of Planning, Industry and Environment, and publicly exhibited from 15 October to 17 November 2019. A final Strategy, that considered feedback received during exhibition, was adopted by Council at its 5 February meeting and referred to the NSW Department of Planning, Industry and Environment for endorsement.

As the strategic assessment requested by the NSW Department of Planning, Industry and Environment has now been substantially completed, Council is in a position to re-consider the Planning Proposal for the subject sites at South Pambula.

Objectives of the Planning Proposal

50

- 1) To provide additional supply of rural residential living opportunities to meet future demand in the Pambula and South Pambula areas.
- 2) To clearly identify the appropriate development potential for the abovementioned deferred matters.

- 3) To retain the proposed E2 zone along environmentally sensitive land of Site 2 located along Nethercote Road.

Description of the Sites and Recommendations

Site 1 Lots 451-453 DP 747031 Lloyd Street/Princes Highway, South Pambula

Lots 451-453 DP 747031 (Site 1) is approximately 21 hectares in size and adjoins the southern edge of the existing South Pambula residential area. The site was deferred from BVLEP 2013 subject to further investigation of its potential for residential land. That analysis, known as the 'Zenith Review 2013' concluded the land was unsuitable for standard residential development. Consequently, Council officers proposed an E4 Environmental Living zoning for the land with a 1 hectare lot size as part of the 'Pambula and South Pambula Residential Land' Planning Proposal. This Planning Proposal was endorsed by Council at its meeting of 7 May 2014, but subsequently rejected by the Gateway Panel citing concerns around flora and fauna, bushfire, highway access and land supply.

Council officers undertook detailed consultation with NSW Environment, Energy and Science (EES) (formerly Office of Environment and Heritage), NSW Rural Fire Service (RFS) and NSW Roads and Maritime Services (RMS), including site visits. Based on these consultations and further site studies, a revised zoning pattern and minimum lot size was proposed.

In response to this consultation, Council resolved at its meeting 20 July 2016 to support an E4 zone with a 1 hectare lot size applied to the substantially cleared, eastern section of the property and a 5 hectare minimum be applied to the western, more heavily vegetated section of the property.

This Planning Proposal is consistent with that Council resolution.

Site 2 Lot 711 DP 1128593 23 Summerhill Road, Greigs Flat

Lot 711 DP 1128593 (Site 2) occupies the small rural valley to the south of Summerhill Road, Pambula and is approximately 40 hectares in size. The owner of the site has submitted a Planning Proposal for the site that seeks to have the property zoned E4 with a split of 2 hectare and 8 hectare minimum lot sizes. Council had previously resolved at its meeting 20 July 2016 to support an E4 zone and lot size of 5 hectares.

As with Site 1, this property faces significant highway access challenges. The site's owners are currently in discussion with the owners of Site 1 and another neighbour to the north with a view to developing a comprehensive access strategy for the three properties with a new highway intersection. Recent advice from the RMS confirms that the existing access arrangements for Summerhill Road and the speed limit for a section of the Princes Highway are being reviewed.

Officers have provided detailed feedback to the owners' consultant with regard lot yield, access, on-site sewage management and native vegetation. The Department of Planning, Industry and Environment also requested further investigations of local land supply to justify the rezoning of this site.

Council have since prepared a Rural Residential Strategy, which was considered by Council at its meeting of 5 February 2020. This Planning Proposal is consistent with the findings of the Rural Residential Strategy 2020 as these sites have been identified as Area 4 within the Pambula catchment. The summary of findings of the Strategy conclude there is insufficient supply in the Pambula catchment to meet the projected needs to 2040 and therefore limited additional rural residential zoning is supported in the areas identified.

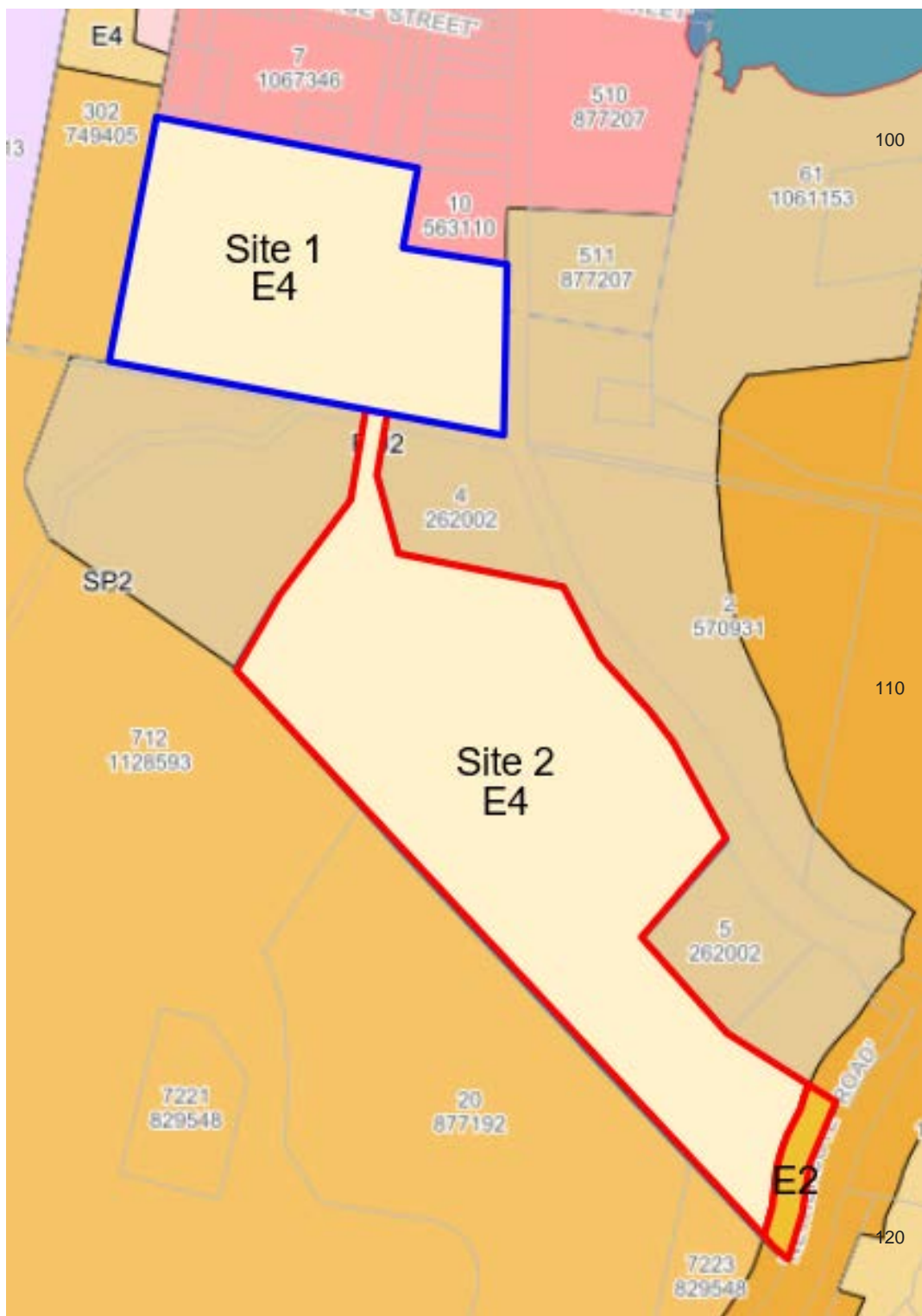


Figure 1 - Proposed land use zones

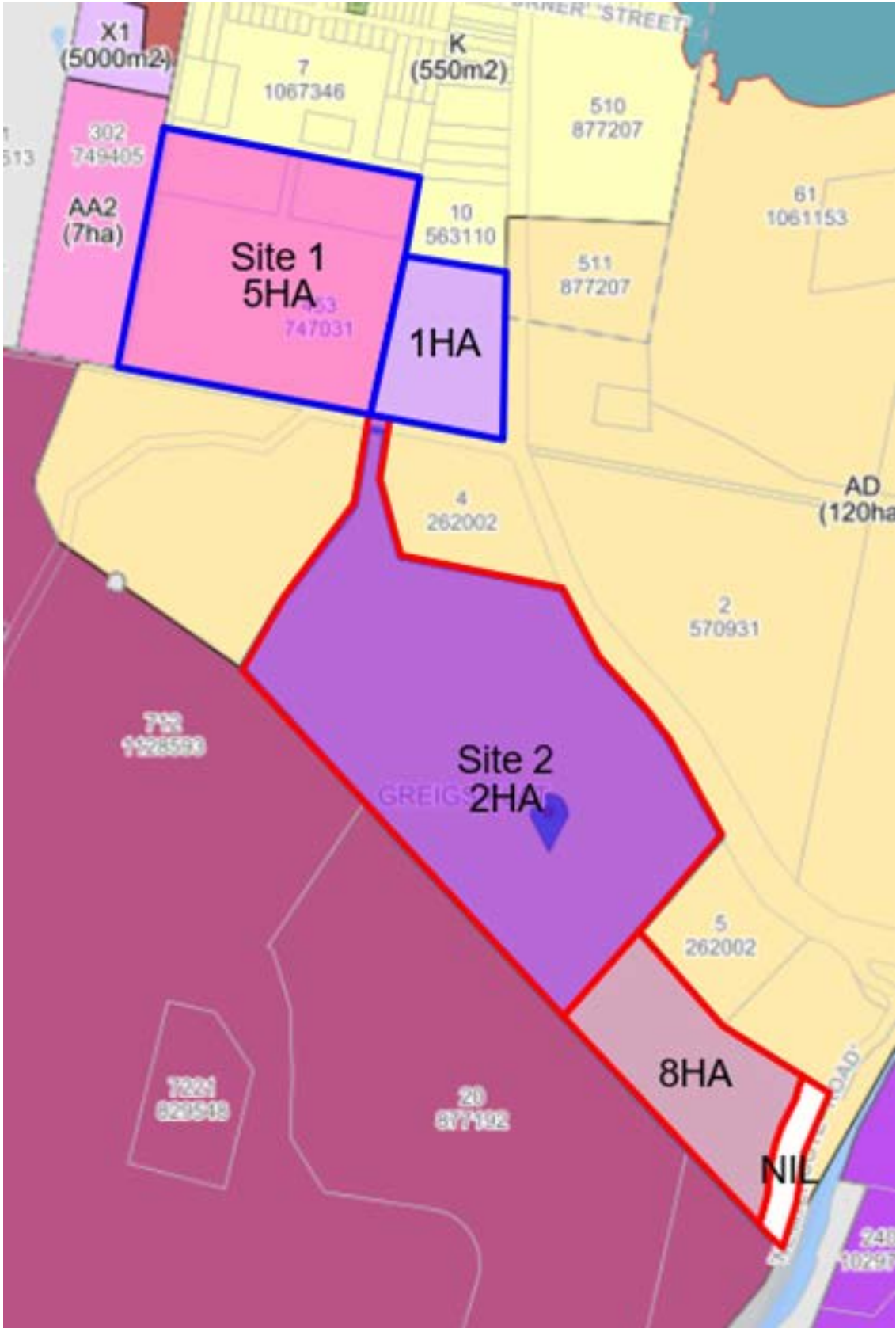


Figure 2 - Proposed lot sizes

There is limited supply of available rural residential land in the South Pambula area. Research undertaken with local real estate agents as part of the Rural Residential Strategy 2020 indicated there is a strong demand for additional rural residential land within in the catchment, specifically within the locality of South Pambula.

This Planning Proposal seeks to rezone the land as per Council's resolution of 20 July 2016 to support E4 Environmental Living, while retaining the 1.25 hectare strip of land along Nethercote Road exhibited as E2 Environmental Conservation, however it seeks to apply an 8 hectare minimum lot size to the eastern portion of the lot and a 2 hectare minimum lot size to the remainder of the site.

Description of the Changes

Changes to Zoning and Lot Sizes

SITE	DESCRIPTION	CURRENT ZONING	EXHIBITED ZONES (2011)	AMENDED ZONES	EXHIBITED LOT SIZES (2011)	AMENDED LOT SIZES
1	LOTS 451-452 DP 747031, PART LOT 1 DP 1088971 and PART LOT 453 DP 747031	1(a)	RU2	E4	120ha	5ha
	PART LOT 453 DP 747031	1(a)	RU2	E4	120ha	1ha
2	LOT 711 DP 1128593	1(a)	RU2	E4 and E2	120ha	2ha and 8ha

Community Engagement

Consultation has been undertaken with agencies including NSW Department of Planning, Industry and Environment, Roads and Maritime Services, Rural Fire Service and former Office of Environment and Heritage to date.

If adopted by Council, these two sites will be placed on public exhibition following Gateway determination for the Department of Planning, Industry and Environment.

Strategic alignment with the Rural Residential Strategy 2020

These sites have been identified as Area 4 within the Pambula catchment in the Rural Residential Strategy 2020. The summary of findings of the Strategy conclude there is insufficient supply in the Pambula catchment to meet the projected needs to 2040 and therefore limited additional rural residential zoning is supported in the areas identified. The summary for Area 4 is as follows:

Areas 1 and 4 – These areas are relatively unconstrained and contain lower quality agricultural land. The areas are sufficient distance from an existing agricultural activity likely to cause land use conflict, have good access to existing road infrastructure and are located close to existing rural residential development surrounding Pambula and South Pambula. Area 4 is partly subject of a Private Native Forestry Property Vegetation Plan and therefore is considered suitable for inclusion within this area.

These sites are consistent with the findings of the Rural Residential Strategy.

The Planning Proposal is likely to have a positive social and economic impact on South Pambula through the provision of more affordable residential land.

Social / Economic Impacts

The objectives of the Rural Residential Strategy 2020 are to:

- Provide strategic direction for the provision of future rural living opportunities in the Bega Valley Shire to 2040
- Implement the relevant goals of the Bega Valley Community Strategic Plan 2040 and directions and actions of the South Coast and Tablelands Regional Plan 2036
- Identify where the supply of rural residential development opportunities is sufficient to meet demand to 2040
- Identify suitable future growth areas in Catchments where additional supply is required
- Investigate the distribution of the existing supply of vacant and underutilised rural residential zoned land and review suitability for further subdivision

The Strategy also makes recommendations for further investigations regarding residential development in rural areas to encourage affordable housing and review the application of the RU4 zone throughout the Shire.

The Subject Sites are located within the Pambula catchment, which is around 140 square kilometres and consists of seven localities whose daily needs are serviced by the town of Pambula. Within the catchment, Greigs Flat and Lochiel contain extensive areas of State Forest, parts of Pambula and Pambula Beach contain National Park and Lochiel, Bald Hills and Greigs Flat contain large areas of agricultural lands. Extensive areas of rural residential zoned land are spread throughout the catchment with minimum lot sizes ranging from 1 to 50 hectares. There is strong demand for rural residential opportunities within the catchment (Table 2).

Table 2 – Summary of rural residential land supply and demand within Pambula catchment

Localities	Bald Hills, Broadwater, Greigs Flat, Lochiel, Pambula, Pambula Beach, South Pambula	
Rural Residential Zones	Total Ha.	1376
	% Shire's total	16
Rural Residential Supply	No. Occupied lots	341
	No. Vacant lots	57
	No. Potential Additional lots	55
	No. Original Holdings	23
	Total Supply	135
Rural Residential Demand	% of Shire's demand	14
	Forecast demand per annum	18.37
	Forecast demand to 2040	386
Gap Analysis	Dwelling supply shortfall to 2040	251
	Years supply remaining	7
Estimated supply from rezoning recommendations	Total Ha.	298
	No. lots	135-269

The Subject Sites form part of Area 4 which is recommended for future rural residential land which will account for approximately 22 lots of the estimated supply from rezoning recommendations.

190

Attachments

1. Planning Proposal Rural Residential Land South Pambula