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**Item: 12.06**

**Subject: PP2016 - 11.1 PLANNING PROPOSAL - MISSION TERRACE,  
LAKEWOOD**

**Presented by: Strategy and Growth, Jeffery Sharp**

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### **Alignment with Delivery Program**

4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development.

### **RECOMMENDATION**

**That Council:**

- 1. Prepare a planning proposal pursuant to section 55 of the Environmental Planning and Assessment Act 1979 in relation to part of Lot 2 DP 771931, Mission Terrace, Lakewood for residential and environmental purposes as described in this report.**
- 2. Submit the planning proposal to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979 and the issue of a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.**
- 3. Delegate authority to the Director Strategy and Growth to make any amendments to the planning proposal as a result of the section 56 Gateway Determination, prior to public exhibition of the proposal.**
- 4. Note that a further report will be presented to Council following the public exhibition period to demonstrate compliance with the Gateway Determination and to provide details of any submissions received during public exhibition.**

### **Executive Summary**

This report considers a planning proposal from Blueprint Planning consultants for a proposed rezoning of land at Lakewood to permit residential occupation and development of part of the subject site.

It is proposed to rezone the existing cleared and developed part of the site from RU1 Primary Production to R1 General Residential and the RU1 Primary Production portion of the site to E3 Environmental Management.

It is recommended that Council proceed with the preparation of a planning proposal for the site and seek a Gateway Determination from the NSW Department of Planning and Environment.

### **Background**

The site has consent under DA1999/752 as a Mission Training Facility (educational establishment) with on-site accommodation approved for up to 27 dwellings.

The north-western corner of the site is cleared and contains the educational establishment. It currently consists of a main office, meeting/dining/teaching building, a large storage shed and 21 detached dwellings. The dwellings range in size from 2 to 4 bedrooms.

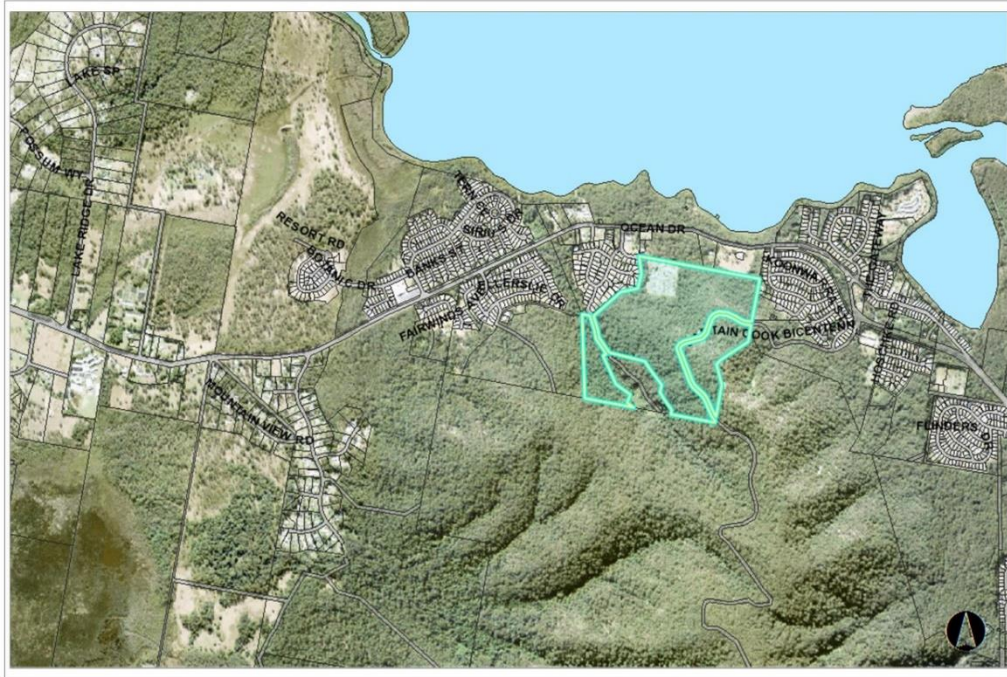
The rezoning proposal is the result of a significant change in the operations of the educational establishment where students no longer are required to attend classes on a live-in basis. Technology today allows classes and learning outcomes to be achieved via electronic means, namely the internet. This means that the existing residences are superfluous to the teaching needs of the establishment and have been vacant for some time.

The site is located on the fringe of an existing urban area and a rezoning of the existing development footprint to permit normal residential use would represent a minor adjustment to the growth area boundary.

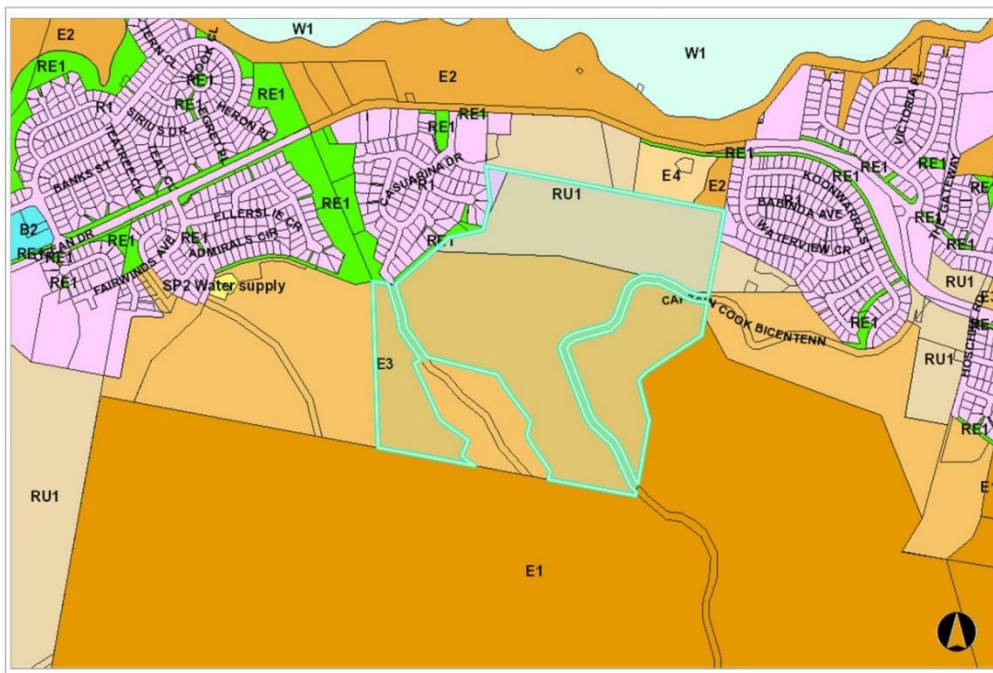
The request for rezoning was considered in a report to Council dated 15 March 2017. Council reviewed the landuse at the time and generally supports the ongoing occupation of site on a permanent basis as the infrastructure investment has been made by the proponent and it has been established that the establishment, including full-time occupation of the dwellings can successfully be serviced over time.

**Discussion**

The subject site is located between Laurieton and Lakewood on the lower slopes of North Brother Mountain and has a total area of 56.3ha. Captain Cook Bicentennial Drive passes through the south eastern portion of the site and an unformed public road (the extension of Cheesetree Place) passes through the south western portion of the site. The developed portion of the site is accessed from Ocean Drive, via Mission Terrace.



The site is currently zoned partly R1 General Residential, partly RU1 Primary Production and partly E3 Environmental Management.



The cleared and developed area of the site is shown below. Twenty-one (21) of the twenty-seven (27) approved ancillary residential dwellings have been constructed.



A planning proposal has been received from Blueprint Planning consultants seeking to rezone part of the land zoned RU1 Primary Production to R1 General Residential, to permit the permanent residential occupation of the existing dwellings on the land and the construction of the remainder of the approved dwellings under a previous development application.

Due to servicing issues above the 30m contour line, development above that contour is required to be strata titled to enable management of utility services by a Body Corporate. Below the 30m contour line torrens title development is possible with separate services to each lot.

It is also proposed to zone the remaining RU1 Primary Production land to E3 Environmental Conservation. This part of the site is less than 40ha, is heavily vegetated, unsuited to agricultural use and is part of an environmental corridor between Queens Lake and North Brother Mountain.

A copy of the planning proposal is at **Attachment 1** to this report. The planning proposal includes an indicative lot layout showing the intended land use outcomes together with plans to demonstrate that road, sewer, water and stormwater infrastructure can be provided to service the current and future development.



Specialist studies in support of the proposal include engineering and bushfire management assessments.

**Options**

Council's options are:

1. Submit the planning proposal (as attached) to the NSW Department of Planning and Environment requesting a Gateway Determination pursuant to section 56 of the Environmental Planning and Assessment Act 1979 and the issue of a Written Authorisation to Council to Exercise Delegation of the plan making functions under section 59 of the Act in respect of the planning proposal.
2. Make amendments to the planning proposal prior to requesting a Gateway Determination.
3. Not support the preparation of a planning proposal for the land.

Option 1 is recommended.

**Community Engagement & Internal Consultation**

Internal consultation has occurred with staff from Council's transport stormwater, bushfire, environment and infrastructure sections.

Subject to Option 1 being adopted and a Gateway Determination being issued by the NSW Department of Planning and Environment, State agency consultation will occur and the planning proposal will be publicly exhibited in accordance with requirements of the Gateway determination.

**Planning & Policy Implications**

The site is not specifically identified for urban expansion in the North Coast Regional Plan or in the Port Macquarie-Hastings Urban Growth Management Strategy 2011. An assessment of the proposal against the Urban Growth Area Variation principles in the Regional Plan demonstrates that the site has merit to be considered.

The proposed residential rezoning is a minor amendment to the R1 General Residential zone in this location and relates to existing approved development. The proposed environmental management zoning of the residue land is considered to represent a public benefit and is not expected to unreasonably impact on adjoining residential land uses.

**Financial & Economic Implications**

There are no financial and economic implications in relation to this report.

**Attachments**

1. Mission Terrace Planning Proposal