

Gloucester River Run Pty Ltd and Brian Beesley and Heather Beesley



Planning Proposal

Lot 2 DP 568113 and Lots 11 and 12 DP 193003
4571 The Bucketts Way
South Gloucester, NSW

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March 2014

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INTRODUCTION

This Planning Proposal seeks the rezoning of part of the subject site, being Lot 2 DP 568113 and Lots 11 and 12 DP 193003, 4571 Bucketts Way South, Gloucester from E3 Environmental Management to R2 Low Density Residential under the Gloucester Local Environmental Plan 2010. The subject site is well located being approximately 2.6km south of the Gloucester Town Centre and within close proximity to employment lands, existing services and schools. Refer Figure 1 for the locality of the subject site.

The proposed residential concept masterplan has been determined based on preliminary investigations of the subject site including topography, flooding and the site's surrounding context. The land is considered to be suitable for residential development presenting an opportunity for a well planned residential estate that would retain and enhance the scenic qualities of the land and create an appropriate southern entry into Gloucester. It would also fill a perceived gap in the existing housing market and contribute to housing diversity.

The project is on behalf of Gloucester River Run Pty Ltd and Brian Richard Beesley and Heather May Beesley, the owners of the subject site.



Source: Google Maps

Scale: Not to Scale

Figure 1 – Locality Plan

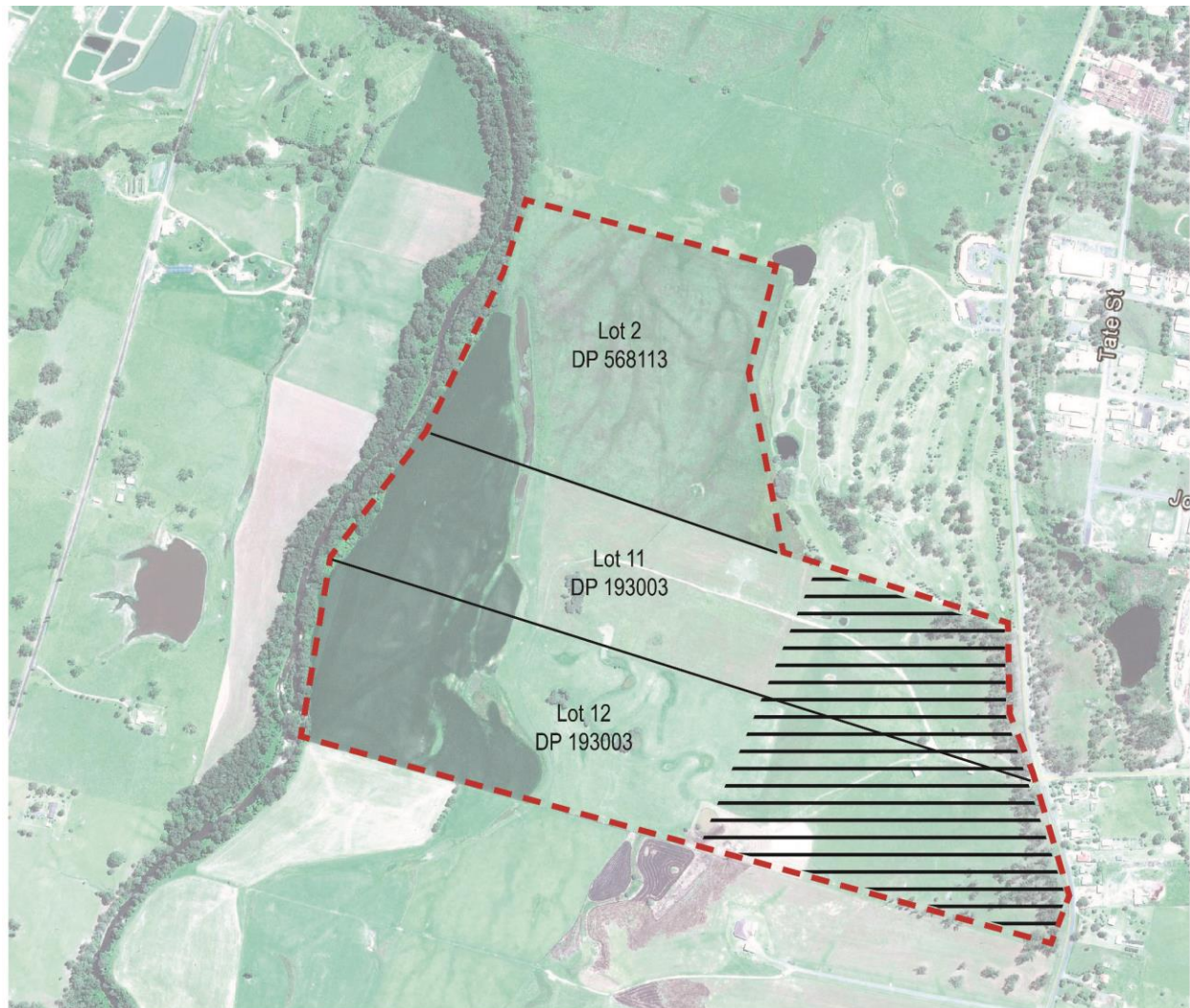
SITE DESCRIPTION

The subject site consists of Lot 2 DP 568113 and Lots 11 and 12 DP 193003. It has a total area of approximately 97.18 hectares. Refer Figure 2 - Site Plan. There are two owners of the subject site as outlined below.

Table 1 – Property Ownership

Owner	Address
Gloucester River Run Pty Ltd	Lot 2 DP 568113 and Lot 11 DP 193003
Brian Richard Beesley and Heather May Beesley	Lot 12 DP 193003

The land is currently zoned E3 Environmental Management under Gloucester Local Environmental Plan 2010 with a minimum subdivision lot size of 1000000m². Refer Figure 3 – Existing Zone Plan.



Legend

- Subject Site
- Development area



Source: Google Maps

Scale: Not to Scale

Figure 2 – Site Plan



Source: Gloucester Shire Council

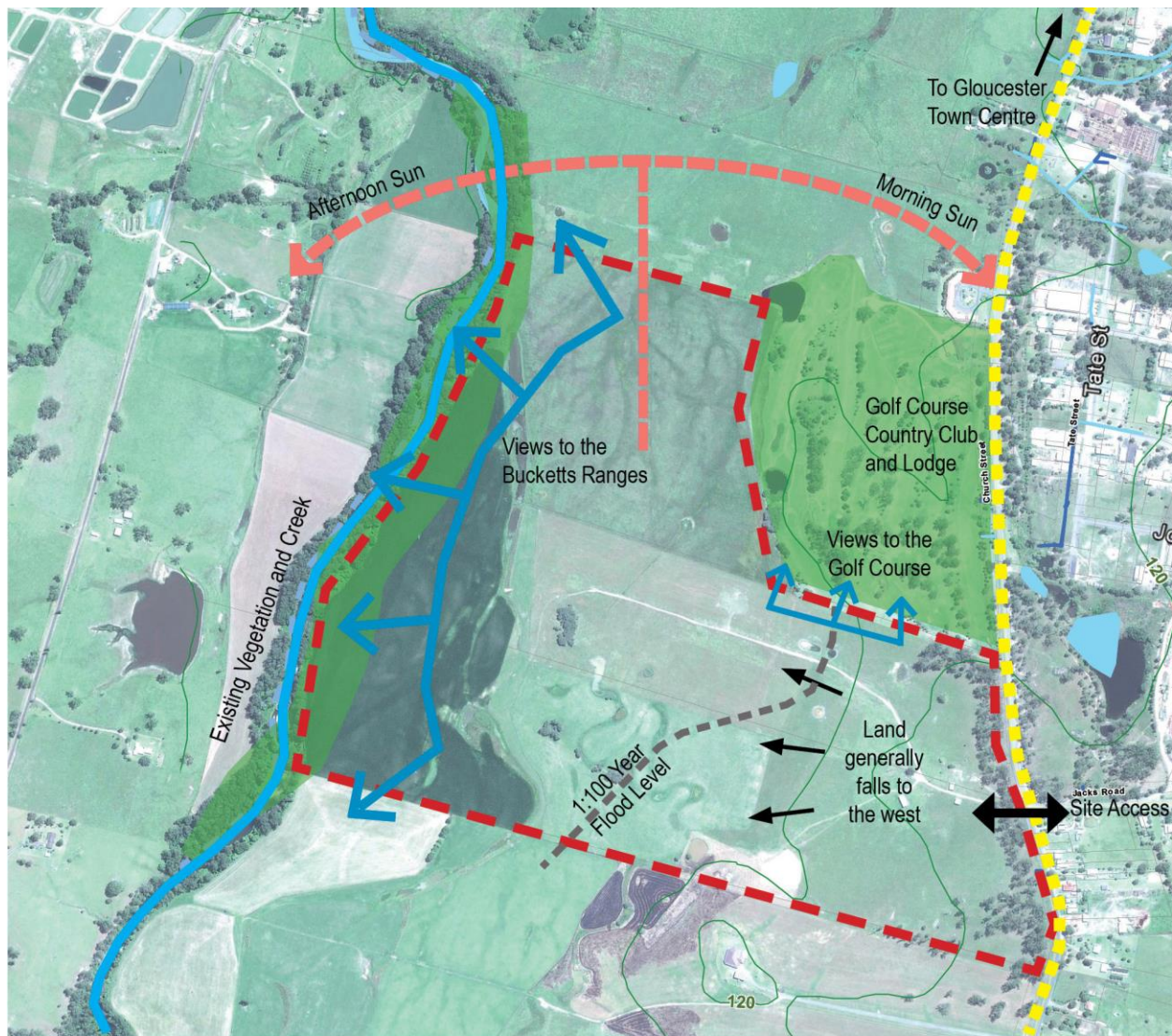
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Figure 3 – Zone Plan

Gloucester River Run Pty Ltd

In 2001, the land was the subject of an amendment to the then Gloucester Local Environmental Plan enabling development for the purposes of housing for seniors or people with a disability, up to a maximum of 100 residential dwellings. Development consent was issued on 19 March 2003 for a retirement village consisting of 100 dwellings, reception area, multi-use building and associated recreational facilities and infrastructure. Council proposed a roundabout on Bucketts Way and the development contributed towards this roundabout. The development was not constructed due to larger competing retirement villages.

With the exception of existing trees along the eastern boundary fronting Bucketts Way and vegetation running along the creek to the west, the land is largely cleared. The site is accessed from Bucketts Way. Land falls gently to the west and has views of the Bucketts Ranges. The 1:100 year flood level runs through the site. Refer Figure 4 – Site Analysis and Figure 5 – Views of the site.



Legend

- Subject Site
- Gloucester River
- Bucketts Way

Source: Gloucester Shire Council

Scale: Not to Scale

Figure 4 – Site Analysis



View 1. View across site of the Bucketts Ridgeline to the west



View 2. Looking south southwest towards neighbouring property and fence line



View 3. Existing gravel access road looking west



View 4. View looking north west towards Country Club



View 5. View from Bucketts Way looking west towards the site



View 6. View of the river and tree line along the western fringe of the site

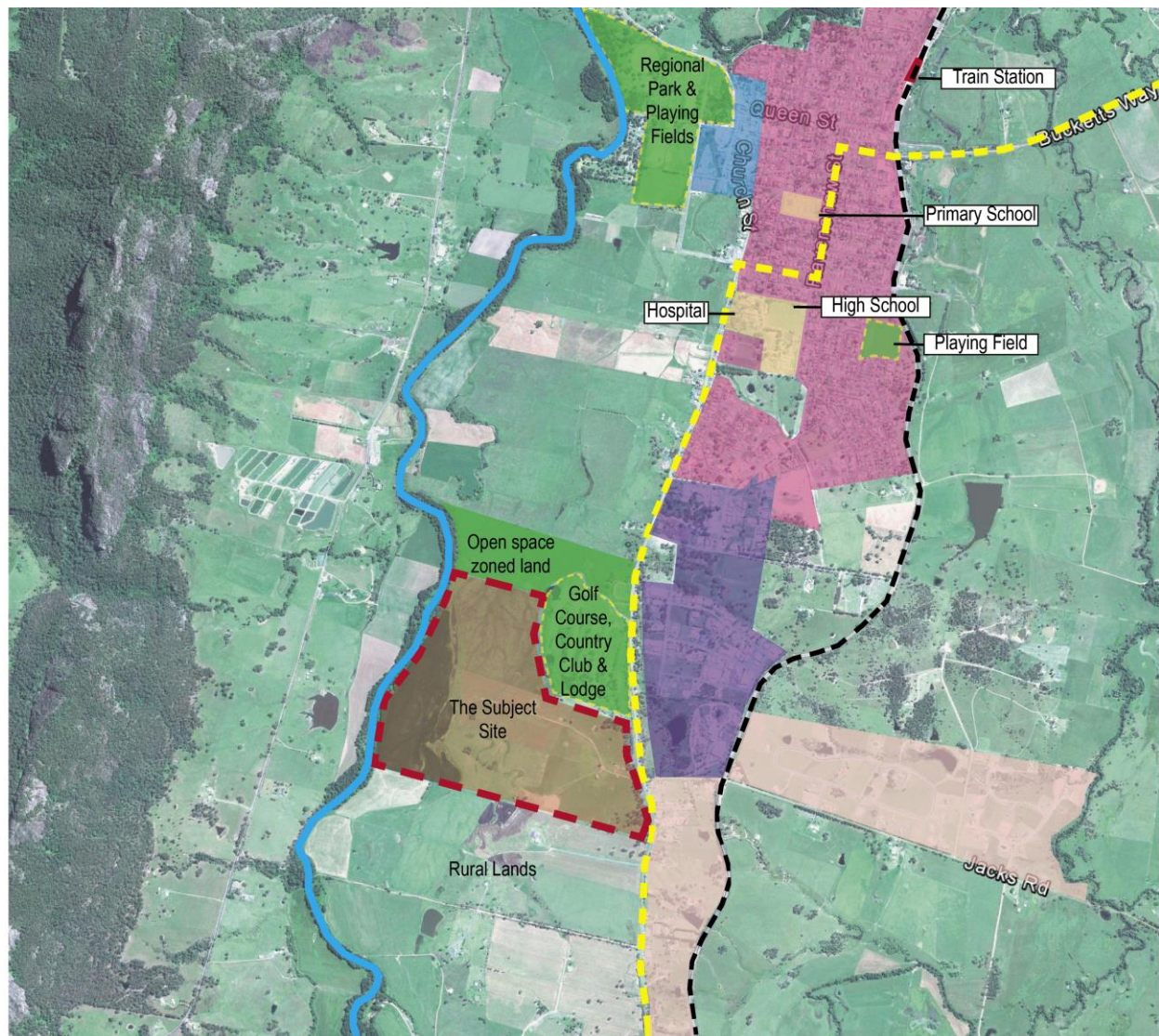
Figure 5 – Views of the Site

SURROUNDING AREA

The subject site is in close proximity to employment lands including the Gloucester Town Centre approximately 2.6km to the north and industrial precincts to the east. Other services such as schools are also located within close proximity to the site.

Bucketts Way adjoins the subject site to the east. Land to the east is zoned R5 Large Lot Residential and IN1 General Industrial. The Large Lot Residential land has a minimum lot size of 4000m². This area has been subdivided and homes constructed in the area. Gloucester River runs along the western boundary. Land to the south and west are zoned E3 Environmental Management.

The Gloucester Country Club, Gloucester Golf Course and Gloucester Country Lodge Motel are located to the north and north east of the site. Land to the north of the site is zoned RE2 Private Recreation. Refer Figure 6 – Contextual Analysis.



Legend

- - - Subject Site	 Town Centre	 Education
- - - - - North Coast railway line	 Industrial	 Residential
- - - - - Bucketts Way	 Recreational	 Large Lot Residential
————— Gloucester River		



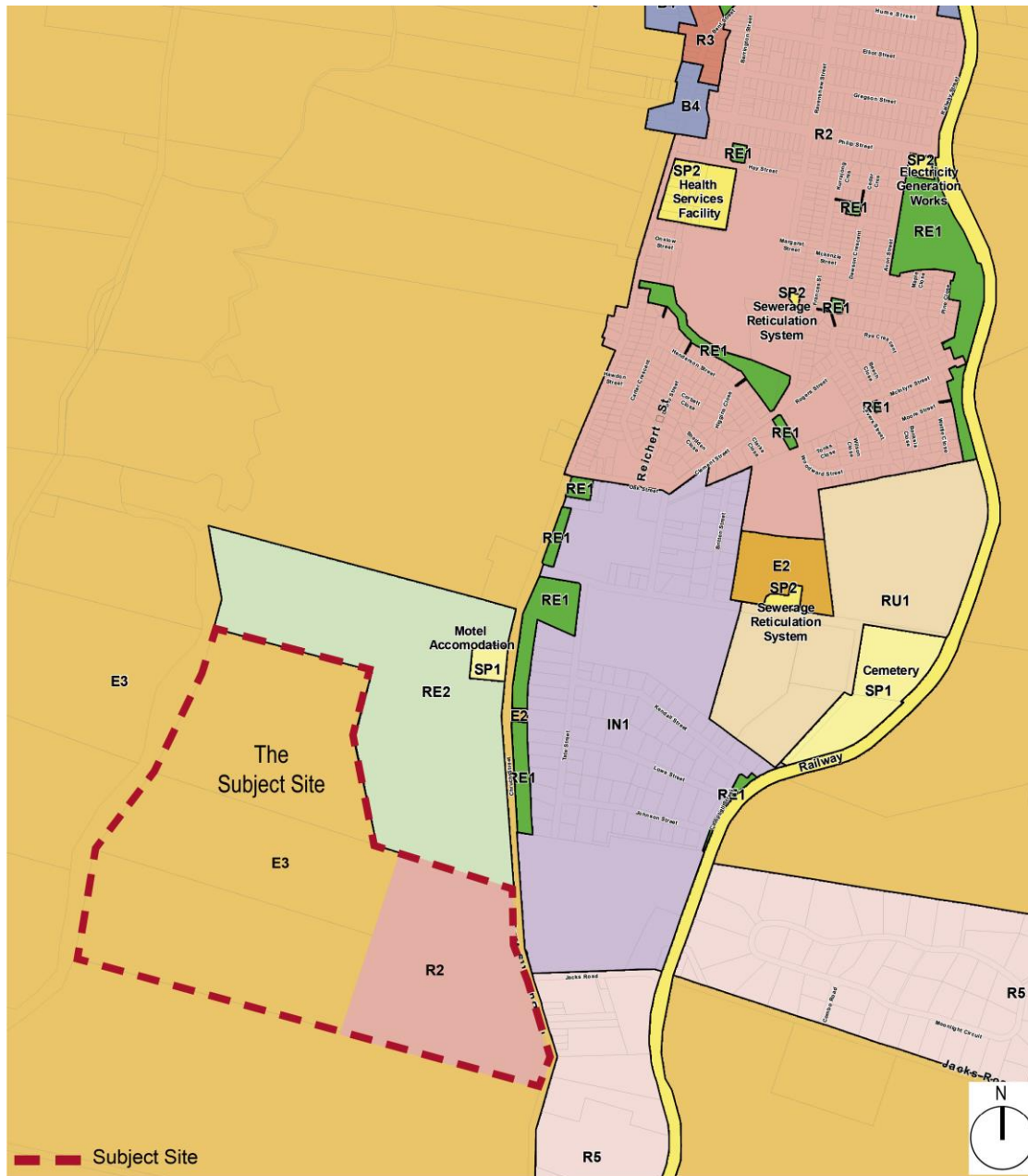
Source: Gloucester Shire Council

Scale: Not to Scale

Figure 6 – Contextual Analysis

THE PROPOSAL

The proposal is to rezone part of the subject site, approximately 26.47 hectares, to R2 Low Density Residential to permit a residential subdivision and the remainder of the subject site to remain E3 Environmental Management lands under the Gloucester Local Environmental Plan 2010. Approximately 70.71 hectares will be retained as environmental management lands. Refer Figure 7 – Proposed Zone Plan. It is also proposed that the minimum lot size for the R2 Low Density Residential zone will be 1000m2 (Refer Figure 8).



Zone

B2 Local Centre	R2 Low Density Residential	RU1 Primary Production
B4 Mixed Use	R3 Medium Density Residential	SP1 Special Activities
E2 Environmental Conservation	R5 Large Lot Residential	SP2 Infrastructure
E3 Environmental Management	RE1 Public Recreation	
IN1 General Industrial	RE2 Private Recreation	

Source: Gloucester Shire Council

Scale: Not to Scale

Figure 7 – Proposed Zone Plan



Legend

	Subject Site		V	2000m2
	I		W	4000m2
	T		X	8000m2
	U		AD	1000000m2

Source: Gloucester Shire Council

Scale: Not to Scale

Figure 8 – Proposed Minimum Lot Size

Gloucester River Run Pty Ltd

An indicative masterplan has been prepared (Figure 9) based on preliminary investigations of the site. This proposal results in a subdivision of 140 lots with a minimum lot area of 1000m². Two larger lots are proposed that incorporate the remainder of the landholdings zoned E3 Environmental Management. These two lots incorporate land zoned R2 Low Density Residential to permit a dwelling and the remainder of the parcel is to be zoned E3 Environmental Management. The Gloucester LEP does not permit a dwelling on E3 Environmental Zone unless it meets the minimum lot size requirements. This allows the land to be held in the one ownership and able to be managed accordingly.

The masterplan has been prepared to show how the subject site could be developed. The proposed R2 Low Density Residential zone is located outside of the 1 in 100 year flood level. Further, the design has considered other site characteristics as shown on the site analysis including:

- the fall of the land;
- orientating the roads and the lots to maximise the views of the Buckett Ranges;
- solar access;
- reduce the extent of cut; and
- fill during construction.

Gloucester Shire Council proposes a roundabout at the intersection of Bucketts Way and Jacks Road with the proposed new entry into the development. Development contributions have been made for this roundabout from a previous proposal on the subject site.

The internal road hierarchy consists of a central boulevard road, which is wide enough to accommodate additional street tree planting to soften the residential dwellings facing onto it. A series of secondary loop roads are located off the central boulevard road, which provides increased pedestrian and vehicular connectivity. The road reserve is wide enough to allow for required public utility services and drainage systems.

The lots backing onto Bucketts Way have been designed to be a deeper lot in an attempt to retain the majority of the vegetation along Bucketts Way and retain the existing streetscape minimising the overall visual impact. This could be further protected through an 88b instrument that could be determined at DA stage.

The masterplan shows land that could incorporate a neighbourhood shop, which will provide local conveniences and complement the services provided by the town centre. The Gloucester Local Environmental Plan 2010 permits neighbourhood shops with a retail area not exceeding 80m² in the R2 Low Density Residential zone.

The masterplan incorporates a local park / public open space, which has been located on a relatively flat part of the site providing visual amenity as you enter the development, and in close proximity to the local store. It is connected to the proposed lots by the local street network.

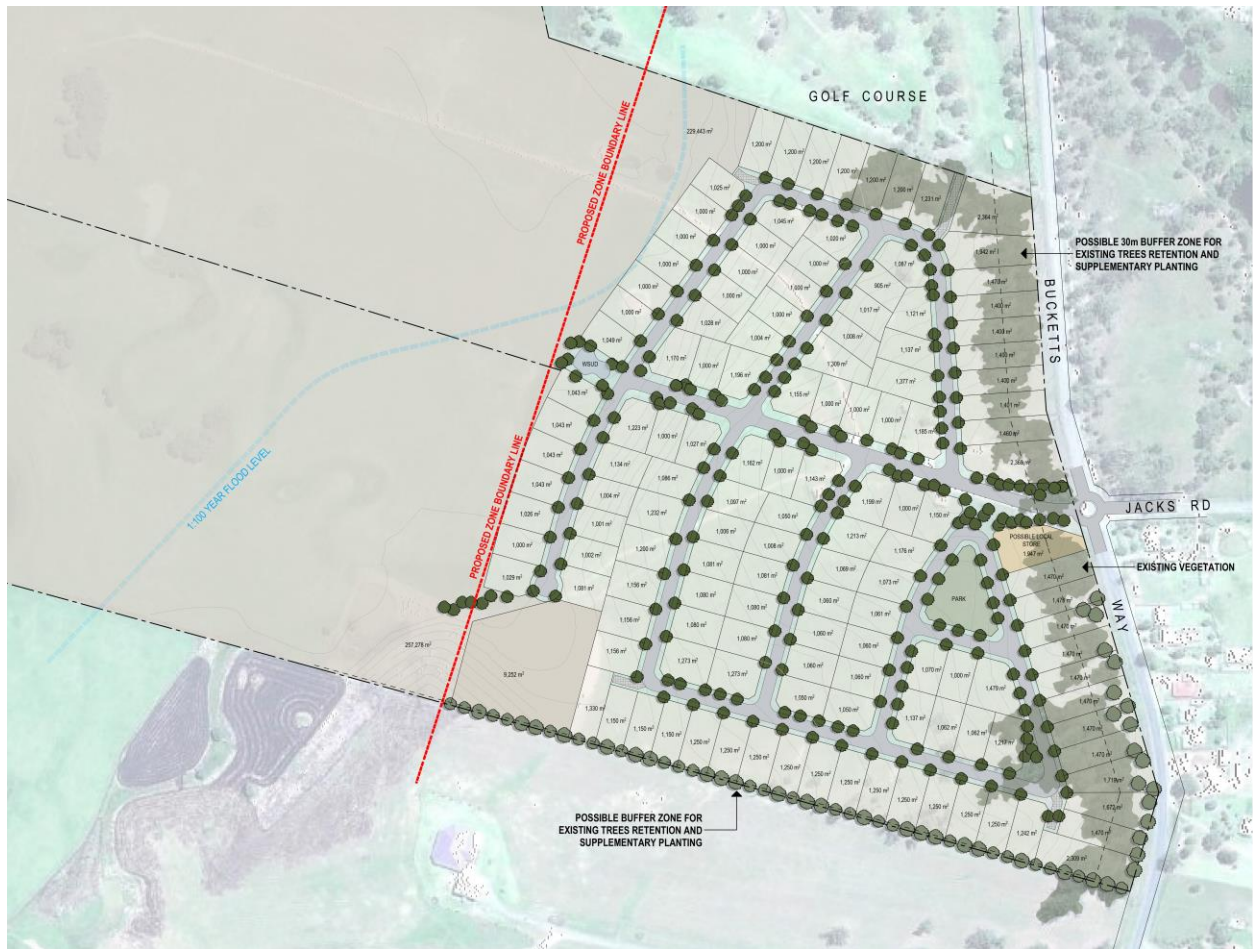
The majority of the proposed dwellings will have views of the local park, the adjacent golf course, the remaining E3 Environmental Management lands and the Buckett Mountain Range and associated ridges in the background.

The objectives of the R2 Low Density Residential zone under the Gloucester Local Environmental Plan 2010 are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The masterplan proposes a layout with the 1000m² lots located on the highest part of the site towards the east taking advantage of the views of the Buckett Ranges and the adjoining golf course. The minimum lot size of 1000m² provides for a low density environment.

Subdivisions of this nature allow for the construction of large single homes. The important neighbourly connection between homes is maintained but is considerably more comfortable than smaller domestic lots. Affordable large scale lots are perfect for family homes, which create a cluster of families and a strong sense of neighbourhood and community. Figure 10 includes some images portraying homes of similar scale on similar lot sizes and their connections. The large relatively flat lots allow ample space for extensive lawns and landscaping, which help to soften the entire development. Rural centres such as Gloucester are an ideal place for large lots and a sparse semi urban living style.



Scale: Not to Scale

Figure 9 – Masterplan



Image 1. Single storey home with large street frontage and double garage



Image 2. Contemporary homes on large allotments fronting communal open space with large existing trees.



Image 3. Single story home orientated across site to maximise setback.



Image 4. Deep setbacks from street provide the opportunity for entry courtyards and significant landscaping options.



Image 5. Large single storey home with deep setback from the street. Allows for extensive lawn and potential for landscaping.



Image 6. Large flat backyards fronting onto nature corridor.

Figure 10 – Images of Possible Future Development

PART 1 OBJECTIVES OR INTENDED OUTCOMES

This Planning Proposal is seeking to rezone part of the subject site, approximately 26.47 hectares, to R2 Low Density Residential and the remainder of the subject site to remain E3 Environmental Management under the Gloucester Local Environmental Plan 2010. The proposal will allow for the subdivision of the R2 Low Density Residential zone into approximately 140 lots, a local park and the possibility of a neighbourhood shop.

The proposal will facilitate:

- Creation of an appropriate transitional land use between the existing Environmental Management zoned land and the proposed Low Density Residential zone; and
- Subdivision of the land for low density residential purposes that is consistent with the adjoining lands whilst ensuring environmental constraints are properly considered and managed. This will provide further housing choice for Gloucester.

PART 2 EXPLANATION OF PROVISIONS

It is requested that the Gloucester Local Environmental Plan 2010 land zoning map is amended to zone part of the subject site to R2 Low Density Residential and the lot size map be amended to permit a minimum subdivision lot size of 1000m² for this area.

Any subdivision application would generally be in accordance with the principles of the development plans and subject to approval by Council.

PART 3 JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

Population Growth

The Gloucester Shire Council Local Environmental Study 2006 identifies an optimum population of 8,000 to 10,000 persons serviced by the Town of Gloucester. It identifies that an additional 3,000 dwellings would be required in Gloucester and surrounds. If the additional population is distributed similarly to at present, approximately 2,300 of these dwellings will be required in the urban area, with the remainder located on rural residential or rural lifestyle lots near Gloucester. Most of these dwellings will be located on Greenfield sites.

It concludes that a better mix of residential lot sizes and development types can achieve more efficient utilisation of urban resources and can also provide opportunities for a variety of living styles. In particular, it finds lifestyle lots located in secluded areas, with views or on waterways still remains strong, however the availability of such lots is limited by planning controls.

The subject site was identified in the Residential Land Release 2005 to 2030 plus map in the Gloucester Housing Development Strategy 2006 prepared by Gloucester Shire Council as existing vacant land with the potential for subdivision development 2005 to 2015.

The Development Employment Land & Commercial/Retail Strategy: Business Study for the Gloucester CBD prepared for Gloucester Shire Council by Ratio Consultants (February 2006) identifies that in the period 2011 – 2021, the Shire's population is projected to increase by a further 770 persons, or by approximately 15% over the entire decade. In the period 2021 – 2031, the Shire's population is projected to increase by a further 1,000 persons, or by approximately 16% over the ten-year period.

Additional housing and a range of housing will be required to meet the population growth.

Land Supply and Lot Size

Analysis of market demand by GRE Real Estate (Appendix 1) indicates that there is a “gap” in the market between existing traditional residential lots of 600 – 800m² to 1500m² lots, coupled with a market preference for lots greater than 800m² for new homes. The Reeves Estate is predominantly 600 – 800m² lots and has only achieved 3 sales over the 4 years since release. This view is supported anecdotally by Council staff suggesting that many new homebuyers in Gloucester have a preference for lots larger than those currently available to enable space for storage of a caravan or boat without impacting on yard space. This applies to families and older couple/retirees. The preference is also for single storey living, which requires a larger footprint than two-storey housing.

The existing supply available to the market greater than 800m² consists mainly of lots greater than 2,000m². The agents believe that these lots are less sought after, particularly in the case of older persons, because of increased maintenance.

The land subject of the Planning Proposal is located next to the golf course and will be appealing to retirees, and based on marketing advice from GRE Real Estate, the preferred lot size is within the range of greater than 800m² and less than 2000m².

In summary there appears to be an adequate supply of:

- lots between 600m and 800m²;
- lots greater than 2000m²; and
- a supply of existing developed housing stock with the township.

There appears to be:

- a shortage of lots of around 1000 – 1500m²;
- a potential market demand for this product; and
- the site is located adjacent to a golf course and is likely to be attractive to both retirees and young families.

The Gloucester Local Environmental Plan 2006 notes:

Subdivision of Land

There has been an increasing demand in Gloucester for residential and rural residential land. At current rates of development and sales, the existing land supply in the respective zones will be exhausted within a few years. A Local Strategy Statement, developed through a consultative process, has identified Gloucester's sustainable population at 12,000 persons. A land release strategy will be prepared to ensure that this population can be achieved in the long term in response to demand, environmental, economic and social constraints.

Gloucester and the immediate surrounds will eventually need to provide accommodation for approximately 6,700 persons, involving up to 3,000 additional dwellings. There is some opportunity, with an active urban consolidation approach, to provide additional accommodation in the developed areas, however, most new dwelling will be on green fields sites.

Further, land to the west of the site is zoned Large Lot Residential under the Gloucester LEP. Part of this land is yet to be subdivided. The proposed lot sizes provide an appropriate transition between the larger residential lots and the smaller lots in the existing zoned residential land within the township.

Strategic Landscape Character and Visual Impact Assessment

It is important to distinguish between Landscape Character Impacts and Visual Impacts. Landscape character relates to the overall sense of place and its character, whereas visual impact relates to the impact of a particular proposal on views.

A strategic landscape character and visual impact assessment was undertaken and is included in Appendix 2. A summary is provided below.

Landscape Character

The Bucketts are an important scenic attribute to Gloucester and contribute much to the sense of place of the town and its surrounding rural landscape. The influence of the Bucketts and the associated river flats on the landscape character of the town and its setting is significant. It is a large geological feature and a dominant element in the landscape when viewed from within the town and all of its surrounding rural areas. It is visible from the main roads accessing the town, Thunderbolts Way, and The Bucketts Way. These are important tourist routes.

The landscape character of the southern approach is likely to change as a result of:

- The existing approved development that has “physically commenced”.
- The new roundabout at Jacks Road.
- Implementation of Council’s proposed pedestrian/cycleway.
- Future urbanisation of the Industrial Zone on the north east corner of the Jacks Road intersection.
- Future development of the Large Lot Rural Residential zone to more intensive rural residential subdivision than the existing subdivision pattern.

Visual Impact

In a strategic context, the proposal has minimal impact on view loss. The Bucketts Way is an important scenic tourist route. The most expansive views of the Bucketts occur south and north of the subject land. In a number of instances, these views include a much broader panorama taking in the Bucketts and the Mt Morangi Ranges.

There are a limited number of existing dwellings on the west side of Bucketts Way that are potentially impacted. The impacts are considered to be relatively minor since the topography will enable views over the dwellings to the Bucketts if the development proceeds.

Mitigating Measures

Bucketts Way is an important tourist route and in terms of landscape character and visual impact the proposal is likely to have relatively minor impacts in the context of the overall character and view along the Buckets Way corridor.

At present, the southern entry to the town is not well defined. A sign north of the Country Club designates the entry. Council is also considering creating a “gateway” at the intersection of Church Street and Phillips Street (western town bypass). Notwithstanding this, the Country Club, together with a new roundabout at Jacks Road coupled with the proposed development provides an opportunity to create a more defined southern entry to the township. Properly treated, this could also mitigate some of the possible impacts to existing filtered views of The Bucketts along the Bucketts Way road frontage. Other mitigation measures include:

- Retention of a substantial number of the existing Spotted Gum along the Bucketts Way frontage.
- Controls on landscape/fence treatment along the eastern and southern boundaries to minimise the impacts of rear yards and outbuildings on the southern approaches to the township.
- Appropriate treatment of the Jacks Road roundabout and estate entry to create an informal “gateway” defining the southern approach to the Gloucester Township.

A number of possibilities for managing the road interface with the Bucketts Way were considered including:

- A conservation zone.
- Incorporating part of the site into the road reserve.
- A section 88b instrument to regulate removal of trees, buildings, fencing and landscape treatment.

For a project of this scale, an 88b instrument is considered most appropriate.

These matters would be addressed as part of a future Development Application if the Planning Proposal proceeds through the Gateway process.

The overall policy with respect to development on the western side of Bucketts Way is a matter for Council. However, it is noted that the subject land has obtained “physical commencement”, that envisages more intensive development of the land.

Planning Proposal

Transport and Community Infrastructure

Council's Contributions Plan makes provision for a pedestrian cycleway on the east side of Bucketts Way between Jacks Road and Warden Street. Any development on the subject land is likely to contribute to the demand it generates for this pedestrian and cycle access and if the Planning Proposal proceeds through the Gateway process, council should if necessary amend its contributions plan to capture any future development.

The details of the pedestrian/cycleway (i.e., if the alignment is on the east or west side of Bucketts Way) should be resolved as part of the development assessment process.

Ecology

The development does not encroach onto the riparian zone or alluvial floodplain. With respect to existing trees along the Bucketts Way frontage a number of possibilities for managing the road interface with the Bucketts Way were considered as part of the Strategic Landscape Character and Visual Impact Assessment as outlined above.

Introducing a special zone for a project of this scale would seem unwarranted and still leave issues of implementation to be resolved. Expanding the road reserve would potentially place an additional maintenance burden on Council. An 88b instrument is considered the most appropriate management tool.

Additional flora and fauna information would be addressed as part of a future Development Application, if required and if the Planning Proposal proceeds through the Gateway process.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This proposal will provide a needed and desired large lot housing in close proximity to the town centre, which is approximately 2.6km north of the proposed development. The town centre provides existing services including retail, schools and employment lands.

The proposed development is of similar character to existing residential subdivisions to the north east of the subject site. However, it proposes larger lot sizes and lower density. The subject site is considered suitable for development for residential purposes.

The objectives of the R2 Low Density Residential zone in the Gloucester LEP are outlined below.

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provides facilities or services to meet the day to day needs of residents.

The proposal is able to meet the R2 Low Density Residential zone objectives outlined above, as the proposal would:

- create an opportunity for a range of dwelling types in close proximity to the Gloucester Town Centre and other employment lands; and
- the subdivision will be consistent with the immediately adjoining lands whilst ensuring environmental constraints are properly considered and managed.

Rezoning of the landholdings to R2 Low Density Residential under the Gloucester LEP is the best mechanism of achieving these outcomes.

3. Is there a net community benefit?

The following table assesses the Planning Proposal against the criteria, as it relates to residential lands, for net community benefit outlined in the Department of Planning and Infrastructure's Draft Centres Policy. The assessment shows that the Planning Proposal will provide a net community benefit, in particular in the provision of additional land for dwellings close to the Gloucester Town Centre and the retention of land for conservation purposes.

Table 1 – Net Community Benefit

Evaluation Criteria (Draft Centres Policy)	Assessment of the Planning Proposal
Will the proposal be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The subject site is in close proximity to the Gloucester Town Centre and other employment lands located south of the Town Centre. The subject site has also been identified as a land release in the 2006 Gloucester Housing Development Strategy. The subject land is located on Bucketts Way, the major route from the south to the Town Centre.
Is the proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The Upper Hunter Strategic Regional Land Use Plan incorporates the Gloucester Local Government Area.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders?	Land to the east has been developed for smaller rural residential lots and industrial development. It is unlikely to set a precedent as the subject site is located in close proximity to the Town Centre and the site has already been identified as land for residential development. Further, a retirement village comprising 100 dwellings and associated facilities was approved on the site in 2003.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The proposal is appropriately located and will complement the existing land uses located in the area.
Will the proposal facilitate a permanent employment generating activity or result in a loss of employment lands?	The proposal will provide short term employment during the preparation and construction of the proposal. There will be no loss of employment lands.
Will the proposal impact upon the supply of residential land and therefore housing supply and affordability?	The proposal will assist in providing supply for residential housing within close proximity of jobs and provide housing diversity.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site?	The site is accessible from existing roads. The site immediately adjoins Bucketts Way, which is the major route from the south to Gloucester Town Centre. Water and effluent disposal can be provided onsite as per the adjoining existing subdivisions.
Is there good pedestrian and cycling access?	The masterplan shows a development proposal that would be able to provide adequate pedestrian and cycling access linking to Bucketts Way. Possible connections could link up to the Gloucester Golf Course and Country Club.
Is public transport currently available or is there infrastructure capacity to support future public transport?	N/A – Public transportation such as bus transportation is not available in Gloucester. The Gloucester train station is located to the north east of the Gloucester Town Centre.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The proposal incorporates the opportunity for a neighbourhood shop. The Gloucester LEP has a maximum floor space of 80m ² , and therefore would provide convenience items to the residents, however the residents would still rely on the Gloucester Town Centre, which is only located approximately 2.6km to the north.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the	No.

Evaluation Criteria (Draft Centres Policy) proposal? If so, what is the expected impact?	Assessment of the Planning Proposal
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The proposal incorporates the retention of large areas of land to be retained within the E3 Environmental Management zone. The land is not identified as Strategic Agricultural Lands in the Upper Hunter Strategic Regional Land Use Plan.
Will the proposal be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Existing large residential lots are located to the south of the Gloucester Town Centre. The proposal is consistent with the adjoining land pattern. Further, the land will provide a transition between the urban lands and the conservation lands.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Provision of additional dwellings close to public facilities and job opportunities providing a choice for residents and providing supply to meet expected population growth. Further, a significant area of land will be conserved. Short term employment opportunities will be provided.

Section B – Relationship to strategic planning framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Strategic Regional Land Use Plan – Upper Hunter

The Upper Hunter Strategic Regional Land Use Plan (2012) identifies that the major towns in the Upper Hunter provide the main regional services, retailing, housing, health and education facilities, industry and related employment for the Region. Its scenic environment, high quality urban services and facilities and convenient location to Sydney, the Lower Hunter and the Mid North Coast make the region attractive to tourists, tree-changers and others seeking lifestyle quality and choice. It identifies Dungog and Gloucester, in particular, as benefiting from a modest increase in tree-change growth.

Further, the plan states that new housing will be needed to cater for the expected population growth as well as a growing demand for greater housing choice. Rural residential and lifestyle housing growth should occur in close proximity to existing centres, towns and villages and is to be consistent with the identified settlement planning principles as identified and comments provided in Table 2 below.

Table 2 – Consideration of Settlement Planning Principles

Settlement Planning Principles	Comments
<i>Development will contribute to the diversity of housing type available. Any medium or higher density housing should be located in central and accessible locations to ensure access to a full range of services within a reasonable walking distance.</i>	The proposal incorporates a minimum lot size of 1000m2 and does not propose medium or higher densities. A 1000m2 lot allows for a large dwelling catering for larger families and for people wanting to have more land.
<i>Development will be located to maximize the efficiency of essential urban infrastructure, services and facilities, including transport, health and education.</i>	The proposal is located close to the Gloucester Town Centre, which includes essential infrastructure.
<i>Development will respect and respond to the character of the area and the identified settlement hierarchy of the region.</i>	As previously discussed, the proposal is located close to land that has been subdivided for larger residential lots, industrial lands and the adjoining golf course and facilities. It has previously been granted development consent for a 100 dwelling retirement village. It is ideally suited for residential development.
<i>New residential areas will be planned with streets that make it easy for people to walk and cycle and with recreational and open space.</i>	The masterplan incorporates a street network linking to the proposed local park and neighbourhood shop and potential linkages to the adjoining golf course and facilities.

Settlement Planning Principles	Comments
<i>New residential areas and rural residential areas will respect environmental and cultural heritage and avoid areas most affected by natural hazards or having high cultural significance.</i>	The proposed residential zone is located outside of the 1:100 year flood level.
<i>New residential and rural residential areas should minimise the potential for land use conflict with land needed for valuable economic activities, such as valuable agricultural lands and natural resource lands. This includes avoiding locations where possible adverse impacts associated with industry (such as noise, visual impacts or other amenity impacts) are likely to affect future residents.</i>	The subject site is not identified as strategic agricultural lands in the Upper Hunter Strategic Regional Land Use Plan. It has previously been granted development consent for a 100 dwelling retirement village. Also, the proposal is compatible with adjoining land uses being residential dwellings to the east and the golf course and motel to the north.
<i>New rural residential areas should be located adjacent to, or in close proximity to, existing urban centres and be within easy access of relevant infrastructure and services.</i>	The subject site is located approximately 2.6km south of Gloucester Town Centre with easy access along Bucketts Way being the main southern route into the Town Centre.

2. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Gloucester Community Plan 2012-2022 is a long term strategic plan for the Shire spanning a 10 year timeframe. It states that it needs to rethink the design and development of housing in the coming years, to encourage people to stay connected with their community, while receiving the necessary support services. There are currently 2,600 dwellings in the Shire and it expects that an additional 500 homes will be constructed by 2022. These homes will mainly be located in housing estates near Gloucester Township and in the corridor between Gloucester and Barrington village, as these areas are currently serviced by adequate infrastructure. The proposal will assist in providing additional homes for the future.

3. Is the planning proposal consistent with applicable state environmental planning policies?

Sydney Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

Clause 13 Compatibility of proposed development with mining, petroleum production or extractive industry in the Mining SEPP applies to an application for consent for development on land that is, immediately before the application is determined:

- (a) in the vicinity of an existing mine, petroleum production facility or extractive industry, or
- (b) identified on a map (being a map that is approved and signed by the Minister and copies of which are deposited in the head office of the Department and publicly available on the Department's website) as being the location of State or regionally significant resources of minerals, petroleum or extractive materials, or
- (c) identified by an environmental planning instrument as being the location of significant resources of minerals, petroleum or extractive materials.

Whilst the application is for rezoning and not a development application, the provisions of the SEPP are addressed below as the area surrounding Gloucester has been identified as a coal resource and coal seam gas resource in the Upper Hunter Strategic Regional Land Use Plan.

Table 3 – Consideration of SEPP (Mining, Petroleum Production and Extractive Industries) 2007

Considerations of Clause 13	Comments
(a) Consider: (i) the existing uses and approved uses of land in the vicinity of the development,	The existing and approved uses of adjoining land includes residential dwellings, industrial land uses, which generally incorporates rural industries such as rural equipment, and the Gloucester Golf Course, Centre and Motel. The proposal is compatible with these land uses.
(ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources),	Whilst the Upper Hunter Strategic Regional Land Use Plan identifies the area surrounding Gloucester as potential for resources, the subject site has not been specifically identified for such a proposal. Further, any future proposal for mining, etc would need to take into consideration the existing land uses adjoining the subject site, which includes residential land

Considerations of Clause 13	Comments
	uses. Further the land was subject to an Exploration Licence EL 6523 to Gloucester Resources Limited. However, when this licence was renewed last year, an area that included the subject lands was excluded from the EL. So far as the landowners are aware, there is now no Exploration Licence affecting the land holdings. In relation to Gas, in 2011 AGL with the landowners' permission drilled a test well on the property. The drilling occurred on the lower river flats and not on the proposed development area. While the landowners do not have the results of the drilling, they have been informed that no gas was found. No drilling has occurred on the application lands. In 2011, 2D Seismic exploration was carried out by AGL on the lower river flats and not on the proposed development area. The landowners are not aware of the result of this exploration. The landowners have not heard further from AGL and assume the company has no further interest in the landholdings.

State Environmental Planning Policy (Rural Lands) 2008

The following addresses Rural Planning Principles under the Rural Lands SEPP for the proposal.

Table 4 – Rural Planning Principles

Rural Planning Principles	Comments
<i>(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,</i>	As noted above, the subject site and surrounding land have not been identified as strategic agricultural land in the Upper Hunter Strategic Land Use Plan. The subject site is currently vacant. A 100 dwelling retirement village was previously granted development consent on the subject land. The Gloucester Golf Club adjoins the site to the north and industrial zoned land and large lot residential lands are located to the east of the site. Further, the majority of the site comprising the alluvial floodplain (just under 75%) will be retained for agricultural purposes. The site already has "physical commencement" for a non-rural use over part of the proposed development area. The land is identified as potential future urban under Council's Residential Strategy.
<i>(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,</i>	The proposal recognises the importance of the surrounding area. A large portion of the site will retain its Environmental Management zone providing a buffer to the west.
<i>(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,</i>	The proposal incorporates residential dwellings close to the existing Gloucester Town Centre and other similar land uses.
<i>(d) in planning for rural lands, to balance the social, economic and environmental interests of the community,</i>	The proposal provides housing choice and reduces the pressure to subdivide agricultural viable land elsewhere.
<i>(e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,</i>	The proposal conserves a significant area of land providing a buffer zone between the proposed residential land and the land to the west. The proposed residential land is located on the highest area of the site and outside of the 1:100 year flood level.

Rural Planning Principles	Comments
<i>(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,</i>	The proposal provides additional housing choice in Gloucester in close proximity to employment opportunities and public infrastructure.
<i>(g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,</i>	The site is accessible from existing roads and is located approximately 2.6km south of the Gloucester Town Centre.
<i>(h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General. 2008.</i>	The subject site has been identified as urban release land in the Gloucester Housing Development Strategy 2006.

State Environmental Planning Policy No 55 – Remediation of Land

As previously noted, the land was the subject of an enabling clause in the Gloucester Local Environmental Plan in 2001 to allow for retirement living. A development consent was issued in March 2003 for a 100 dwelling retirement village and ancillary land uses. Therefore it is considered that the land is suitable for residential development.

Since 2002 when the present owners acquired the whole parcel it has been leased to local farmer Speldon Partnership of which Chris Maslen is the principal. The area of river flats has been used for the growing of corn and winter supplement feed and the balance has been used to run dry milking cows. Fertilisers etc. have been used on the river flats in accordance with the lease but no activity has been carried out on the proposed development area other than the grazing of cattle. A Statutory Declaration relating to the previous use of the land is included in Appendix 3. It is considered that any contamination issues can be adequately addressed as part of the Development Application process.

State Environmental Planning Policy (Infrastructure) 2007

Contributions have already been made towards the Jacks Road/Bucketts Way intersection as part of the existing approval. Any further contributions towards the intersection or the proposed pedestrian/cycleway resulting from the proposal can be addressed as part of the Development Application process. Accordingly, it is considered that there are no contributions arising under SEPP (Infrastructure).

4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be consistent with the relevant s.117 Directions for Planning Proposals as outlined in the following table.

Table 5 – s.117 Directions

s.117 Directions Objectives	Assessment of the Planning Proposal
1. Employment and Resources	
1.2 Rural Zones Objective <i>(1) The objective of this direction is to protect the agricultural production value of rural land.</i>	The land is currently vacant and adjoins existing residential land. The proposal is complementary to the adjoining residential land uses and was previously granted development consent for a 100 dwelling retirement village. Further, the majority of the site (just under 75%) will be retained for agricultural purposes.
1.3 Mining, Petroleum Production and Extractive Industries <i>(1) The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	As stated above, any future mining or similar proposal would have to take into consideration the existing land uses already located in the immediate vicinity of the subject land.
1.5 Rural Lands <i>(1) The objectives of this direction are to:</i> <i>(a) protect the agricultural production value of rural land,</i> <i>(b) facilitate the orderly and economic development of rural lands for rural and related purposes.</i>	The planning proposal results in a further range of dwelling types on land in close proximity to the Gloucester Town Centre. This proposal is also compatible with adjoining land uses. It also allows
2. Environment and Heritage	
2.1 Environment Protection Zones Objective:	The proposal incorporates the retention of large areas of E3 Environmental Management land providing a buffer to the land

s.117 Directions Objectives	Assessment of the Planning Proposal
(1) <i>The objective of this direction is to protect and conserve environmentally sensitive areas.</i>	to the west.
2.3 Heritage Conservation Objective (1) <i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	Any subdivision application and dwelling approval will be subject to the protection of heritage conservation.
3. Housing, Infrastructure and Urban Development	
3.1 Residential zones Objectives: (a) <i>to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> (b) <i>to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> (c) <i>to minimise the impact of residential development on the environment and resource lands.</i>	The proposal incorporates a minimum lot subdivision of 1,000m ² , which will provide for a range of dwelling types. The subject site is located close to the Gloucester Town Centre.
3.4 Integrating Land Use and Transport Objectives: (a) <i>improving access to housing, jobs and services by walking, cycling and public transport, and</i> (b) <i>increasing the choice of available transport and reducing dependence on cars, and</i> (c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> (d) <i>supporting the efficient and viable operation of public transport services, and</i> (e) <i>providing for the efficient movement of freight.</i>	Public transport is not available in Gloucester and therefore residents are reliant on vehicles. The subject land is accessible from Bucketts Way and in close proximity to the Town Centre. The proposal incorporates an opportunity for a neighbourhood shop to provide conveniences to the future residents. The masterplan incorporates a street network to allow pedestrian and cyclist connectivity. Councils Contributions Plan makes provision for a pedestrian cycleway on the east side of Buckets Way between Jacks Road and Warden Street. Any development on the subject land is likely to contribute to the demand it generates for this pedestrian and cycle access and if the Planning Proposal proceeds through the Gateway process, council should if necessary amend its contributions plan to capture any future development. This can be dealt with as part of a Development Application process.
4. Hazard and Risk	
4.3 Flood Prone Land Objectives: (a) <i>to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</i> (b) <i>to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i>	The proposed residential zone is located outside of the 1:100 year flood level.
4.4 Planning for Bushfire Protection Objectives: (a) <i>to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i> (b) <i>to encourage sound management of bush fire prone areas.</i>	The land and surrounding areas are mainly cleared rural agricultural land and the golf course to the north. Land to the north east is partly cleared. It is considered that bushfire protection can be adequately addressed as part of the Development Application process.
6. Local Plan Making	
6.1 Approval and Referral Requirements Objective (1) <i>to ensure that LEP provisions encourage the efficient and</i>	Referral to other Government agencies will be required.

s.117 Directions Objectives	Assessment of the Planning Proposal
<i>appropriate assessment of development.</i>	
6.3 Site Specific Provisions Objective: (1) <i>to discourage unnecessarily restrictive site specific planning controls.</i>	Restrictive site specific controls are not proposed. It is envisaged that it adopts the general standards outlined in the Gloucester Local Environmental Plan 2010.

Section C – Environmental, social and economic impact

1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

With the exception of existing trees along the eastern boundary fronting Bucketts Way and vegetation running along the creek to the west, the land is largely cleared. Vegetation along the creek will be retained as this area is zoned E3 Environmental Management zone. Further, the masterplan proposes deeper lots along Bucketts Way, which would assist in the retention of vegetation along this eastern boundary. Therefore, it is unlikely that the proposal would impact on the endangered or threatened flora and fauna or communities.

2. Are there any likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal will result in positive environmental effects including:

- Retention of vegetated areas outside of the development footprints.
- Retention of riparian areas.

3. How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal has undertaken a net community benefit analysis based on the Department of Planning and Infrastructure's template in Part 3 Justification. The assessment shows that the Planning Proposal will provide a net community benefit, in particular in the provision of additional land for dwellings close to jobs and infrastructure including schools providing housing choice and the conservation of a large area of land.

Section D – State and Commonwealth Interests

1. Is there adequate public infrastructure for the planning proposal?

Gloucester Town Centre is located approximately 2.6km from the site to the north with direct access along Bucketts Way. Gloucester Railway Station is located to the east of the Gloucester Town Centre within approximately 5 kms of the subject site. Electricity is available to the site. Water and effluent disposal can be provided onsite as per the adjoining existing rural residential allotments.

Public schools are also located within close proximity to the subject land.

Adjoining lands also include employment lands and other residential development.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the relevant State and Commonwealth Public Authorities will be undertaken as part of the community consultation process.

PART 4 COMMUNITY CONSULTATION

There has been no exhibition of the proposal, and hence no public consultation at this stage.

The proposal type is considered to fit the criteria for “all other projects” with a 28 day exhibition period, and the relevant notifications and procedures set out in EP&A Act and the Department's guidelines.

Consultation will be undertaken with the following agencies:

- Office of Environment & Heritage.
- Rural Fire Services.
- MidCoast Water.
- Transgrid.

PART 5 PROJECT TIMELINE

The following outlines the principal steps associated with finalising the plan and indicates a timeline for the project.

Principal Steps	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
Anticipated commencement date (date of Gateway determination)												
Anticipated timeframe for the completion of required studies including consultation with government agencies												
Public exhibition period												
Consideration of submissions												
Consideration of a proposal post exhibition												
Anticipated timing for making of the plan												