

Planning Proposal

R3 (Medium Density Residential Zone) Zone Density and Dwelling Permissibility

Amendment to Great Lakes Local Environmental Plan 2014

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1.0 Introduction

Great Lakes Local Environmental Plan 2014 (GLLEP 2014) currently prohibits single dwellings within the R3 Medium Density Residential and R4 High Density Residential zones. The prohibition in these zones was included in the standard planning instrument to facilitate increased development densities.

Over the past 20 years, development within new medium density residential zoned land in Forster has not achieved the desired density outcomes for the zone. Several parcels of medium density residential land have been subdivided and completely occupied by single houses, with a few dual occupancies. Such development is inconsistent with the objectives and intentions of the medium density residential zone. To ensure that greenfield high and medium density residential zones are developed to higher densities, Council resolved to prohibit single dwellings from these zones in preparing GLLEP 2014.

It has been Council's intention to amend GLLEP 2014 and remove the prohibition of single dwellings within the R3 Medium Density Residential zone once a suitable mechanism to establish minimum densities for R3 zoned lands had been established. At a Strategic Committee on 10 June 2014 Council gave consideration to the option of incorporating a local clause and minimum density mapping provisions to achieve the desired development densities for R3 zoned greenfield sites.

At this meeting Council resolved to prepare a Planning Proposal to amend Great Lakes Local Environmental Plan (LEP) 2014 by:

- amending the R3 Medium Density Residential land use table so that dwelling houses are permissible with consent; and
- incorporate a local clause and Minimum Density Development map provisions so that a minimum development density of 35 dwellings per hectare is achieved within R3 Medium Density Residential greenfield sites; and
- that the planning proposal be submitted to NSW Department of Planning and Environment (DP&E) for a Gateway Determination.

This planning proposal applies to greenfield R3 zoned land covered by GLLEP 2014. The planning proposal seeks to:

- remove the prohibition of dwellings from the land use table, and
- establish a legal mechanism to ensure a minimum development density of 35 dwellings per hectare is achieved within all R3 Medium Density Residential greenfield sites.

Preliminary discussions between Council and the DP&E suggested that the simplest way to achieve the intended outcomes for R3 Medium Density Zone is to incorporate a local clause within the GLLEP 2014 which specifies a minimum development density for those greenfield sites identified through related mapping. Parliamentary Counsel, in preparing the Local Environmental Plan amendment, may determine that alternative provisions are more suitable.

2.0 Objectives, Intended Outcomes and Explanation of Provisions

2.1 Part 1: Objectives and Intended Outcomes

The primary objectives of this planning proposal are:

- to ensure that future development within R3 Medium Density Residential zone for greenfield sites is consistent with the objectives of the zone;
- to encourage and promote a diversity of housing types and styles within R3 Medium Density Residential zoned greenfield sites, that will meet the needs of a broader cross section of future population;
- to avoid the development of predominantly single dwellings within greenfield R3 Medium Density Residential areas and ensure R3 zoned land is developed to its full potential;
- to remove the prohibition of single dwellings from the R3 Medium Density Residential zone; and
- to establish controls to ensure a minimum development density of 35 dwellings per hectare is achieved within R3 Medium Density Residential zone for greenfield sites.

The intended outcomes of the proposed amendments are:

- to make single dwellings permissible with consent in the R3 Medium Density Residential zone, and
- to create provisions which will require a minimum development density of 35 dwellings per hectare to be achieved within the R3 Medium Density Residential zone for greenfield sites.

2.2 Part 2: Explanation of Provisions

The planning proposal seeks to amend GLLEP 2014 by:

1. Making “single dwellings” permissible with consent in the R3 Medium Density Residential Zone. This would be achieved through altering the land use table for the R3 Medium Density Residential zone to reflect this provision.
2. Inserting new provisions which require a minimum development density of 35 dwellings per hectare to be achieved within the R3 Medium Density Residential zone for greenfield sites.

It is acknowledge that the intended outcomes relating to minimum development density may be achieved in multiple ways. Council will be guided by the advice of DP&E and Parliamentary Counsel.

3.0 Justification

3.1 Section A – Need for the Planning Proposal

Is the Planning Proposal a result of any strategic study or report?

The planning proposal arises from concern regarding the emerging pattern of predominately low density development within the R3 Medium Density Residential Zones in the Forster area. In 2013 a land use audit was undertaken by Council to determine the extent of under developed medium density zoned land under the former provisions of Great Lakes Local Environmental Plan 1996 (GLLEP 1996). The findings of this audit indicated that three (3) areas existed in Forster where lots within existing medium density zones had been predominantly developed for single dwellings within the last 10-15 years. These areas are:

- Figtree Court, Cedar Grove and Tree View Place, Forster;
- Benara Crescent and Nuwarra Circuit, Forster; and
- allotments surrounding the junction of Cape Hawke Drive and The Southern Parkway, Forster.

Given the limited redevelopment potential of these areas, it was decided that these areas be zoned R2 Low Density Residential in preparing the GLLEP 2014. At present there are several greenfield sites zoned R3 Medium Density Residential where no development has occurred, in South Forster, Tea Gardens and Hawks Nest. Council is concerned that the trend, apparent over the last 15 years, land zoned for medium density residential purposes is fully developed for low density residential purposes, will continue unless appropriate planning controls are established.

Council's Housing Strategy for Forster Tuncurry (2005) identifies that medium and high density housing plays an increasingly important role in the provision of housing choices in Forster and Tuncurry. The strategy promotes that the full development of medium density zoned land is to be encouraged to provide for the communities changing needs. Furthermore, the Housing Strategy Action Plan recommends that medium density development around key centres and focal points should achieve densities ranging from 30-70 dwellings per hectare.

Other strategies and plans developed by Council, as discussed in Section 3.2 of this proposal, recommend the need for greater housing diversity. These strategies identify the dominance of single dwellings in the house market and the distinct lack of smaller multi-unit housing options to accommodate the growing number of smaller households and lower income earners. The lack of variation in accommodation choices is reflective of the current demographic trends, with a population dominated by the over 60's. More affordable housing options and opportunities for innovative urban design that achieve higher densities are necessary to suitably meet the needs of future households. The planning proposal is consistent with previous strategies and plans undertaken by Council.

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The current planning controls make no provisions to assist in guiding development for medium density greenfield sites. Previously it has been left to market trends to decide how medium density zoned lands are development. Prime land zoned for medium density has fallen victim to low density development in lieu of effective planning controls.

Subsequently, new planning controls are now required to ensure that a desired minimum development density is achieved for R3 Medium Density Residential Zone greenfield sites. Such controls will assert provisions that will promote the diversity of housing choice and style required to accommodate the increasing number of smaller households.

A Planning Proposal to amend GLLEP 2014, by introducing specific density controls, is considered the best means of achieving the objectives and intended outcomes.

3.2 Relationship to strategic planning framework

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?

Mid North Coast Regional Strategy

The Mid North Coast Regional Strategy (MNCRS) was prepared by the (former) Department of Planning to provide the overarching strategic planning document for the region for the period 2006 – 2031. The strategy identifies that the most significant implications of future housing in the region is a trend towards smaller households and a greater number of dwellings for single person or couple-only households will be needed. Subsequently the number of dwellings will increase and new styles of housing, especially smaller and easier to manage dwellings, will be required.

The MNCRS is consistent with the planning proposal and aims to

- *ensure that new housing meets the needs of smaller households and an aging population by encouraging a shift in dwelling mix and type so that 60% of new housing is the traditional detached style and 40% is of multiunit style.*

The planning proposal is further supported by the settlement principles contained within the MNCRS which states that “*settlement areas will be appropriately located and designed to maximise the affordability of housing, as well as to provide the type of housing styles and dwelling mixes that are appropriate to the aging population.*”

The MNCRS identifies Forster–Tuncurry as a major town and promotes that higher dwelling densities in major towns will enable an appropriate mix of housing styles. The MNCRS claims that “*where higher density housing styles are able to be met, consistent with the character and design values, it will enable affordability and tourism demands to be met, while encouraging housing opportunities appropriate to the ageing of the population.*”

By ensuring that future development of R3 Medium Density Residential Zone greenfield sites is consistent with the objectives of the zone, it will provide the housing opportunities consistent with the outcomes of the MNCRS. The planning proposal seeks to increase dwelling densities and promote housing diversity within appropriate locations near to major towns and services. Thus the planning proposal is consistent with the principles, actions and outcomes of the MNCRS.

Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal is consistent with the following local strategic plans:

- Forster Tuncurry Conservation and Development Strategy (2003)
- Housing Strategy for Forster Tuncurry (2005)
- Tea Gardens Hawks Nest Conservation and Development Strategy (2003)
- Tea Gardens/Hawks Nest Housing Strategy (2006)
- South Forster Structure Plan (2006)
- Great Lakes 2030 Community Strategic Plan

Forster Tuncurry Conservation and Development Strategy (2003)

The Forster Tuncurry Conservation and Development Strategy (FTCDS) was prepared by Council with the aim of ensuring a sustainable approach to land use planning and management within Forster/Tuncurry. This strategy includes consideration of environmental, economic and social factors. The strategy aims to identify options for future growth while safeguarding environmental quality.

Similar to the future growth projections of the MNCRS, the FTCDS identifies that the number of people living in each household is declining. The FTCDS acknowledges that smaller families have different needs –they may not wish, or cannot afford, to own a large house on a quarter acre block. The strategy claims that instead, *“opportunities to apply innovative urban designs that provide more compact settlements and lessen the reliance on private transport, may be more readily accepted in the market.”*

The strategy identifies the desired future character of towns and villages within the Great Lakes LGA. Consistent with the planning proposal, the FTCDS identifies “South Forster” as a precinct with potential for urban expansion. The FTCDS states that the future character envisaged for this precinct is *“low and medium density residential development in association with some commercial and community uses.”*

Several design elements for this precinct have been identified to encourage development that reduces urban sprawl and makes the most efficient use of infrastructure, community facilities and physical attributes of the precinct. The following design elements are consistent with the desired outcomes of this planning proposal:

- Reduce land and transport requirements by achieving higher minimum average density targets, particularly near town centres/activities centres such as shops and transport nodes.
- Create “neighbourhoods” by variation in development density, provisions of open space and centrally located neighbourhood facilities such as shops and meeting places.
- Provide a mix of housing types including provisions for affordable housing, older people, single households and families.

The location of the medium density residential zoned greenfield sites in the South Forster area are generally consistent with the location of sites identified for future urban expansion in the FTCDS. The strategy supports the need for greater development densities to be achieved in order to accommodate the increasing number of smaller households, thus provides support to the planning proposal.

Housing Strategy for Forster Tuncurry (2005)

Council commissioned a Housing Strategy for Forster Tuncurry to provide detailed information relating to housing supply and demand within the Forster Tuncurry region to help guide decisions on residential densities, neighbourhood design and housing type. Consistent with the planning proposal, this strategy identifies the important role medium density housing plays in providing for a variety of housing choice in the Forster area. The strategy promotes that *“full development of zoned medium and high density areas is to be encouraged as a means to provide for the communities changing housing needs”*.

The strategy identifies a decline in the number of people per household in the future, creating an increase in demand for smaller housing options. As a significant proportion of the community is elderly, it is expected that appropriate housing types will be needed to accommodate the growing number of disabled people and those with limited mobility. The planning proposal will assist by encouraging opportunities for a diverse range of housing choices, including smaller easy care housing options suited to the needs of an aging population.

According to this strategy, a range of housing types, tenures and styles are needed to meet the needs of people at different stages of their life cycle and negative economic circumstances. By providing for a greater diversity of housing options, the proposal will help to stimulate a more diversity amongst the local demographic, those people currently excluded from the area due to a lack of affordable housing.

Furthermore, the need for increased densities is specifically supported by the Housing Strategy which states that *“On land adjacent to the proposed focal points of activity (i.e. the proposed Neighbourhood Centre, community facilities and open space areas), it is envisages that a mix of medium density housing types will be constructed within these locations achieving an average net density of 30 to 40 dwellings per hectare with a maximum building height of 3 storeys.”* This proposal seeks to provide a legal planning mechanism to ensure such densities are achieved and in doing so will provide the focal points for future liveable neighbourhoods.

Tea Gardens Hawks Nest Conservation and Development Strategy (2003)

The Tea Gardens Hawks Nest Conservation and Development Strategy (TG/HNCDS) was prepared by Council with the intent of being the blueprint for Council to use in order to balance social, economic and ecological interests in the Tea Gardens/Hawks Nest area. Council recognised the need for a broad strategy to set a conservation framework and to guide development within the Tea Gardens/Hawks Nest area. The strategy provides greater certainty for the community and developers about the areas that can sustain development and area that should be conserved.

Population statistics for the Tea Gardens Hawks Nest in 2001 revealed a community profile dominated by people age 60 years and over. The area has been popular amongst retirees choosing to relocate to the area for its scenic qualities, lifestyle opportunities and affordable housing, in comparison to the Central Coast and Sydney markets. The strategy identified a decline in the number of people per household over the previous 20 years and anticipated that future occupancy rates would continue to fall with an increase in single person or couple only households. More recent population statistics supports this prediction, with 2011 census data revealing growth in the over 60's category, which makes up nearly 50% of the total population.

In response, the TG/HNCDS strategy acknowledges that *“more housing will be needed to accommodate the incoming population of smaller households. Furthermore the strategy predicts a “greater market demand for innovative housing designs that provide more compact settlements with less reliance on private transport”.* In order to achieve more housing, the strategy promotes the need for increasing densities in “greenfield” areas within suitable locations that will meet the needs of the future population. The strategy suggests that *“higher density development should be located near activity centres such as shops or transport nodes and interchanges.”*

The strategy supports the need for greater development densities and housing diversity in order to accommodate the increasing number of smaller households. The strategy identifies that *“Council must encourage development that not only meets the current market aspirations, but will also meet the future needs of the community.”* The planning proposal seeks to ensure that future development of greenfield medium density sites in Tea Gardens and Hawks Nest achieve higher density yields to support the predicted future growth. Subsequently the proposal is consistent with the outcomes of the TG/HNCDS.

Tea Gardens/Hawks Nest Housing Strategy (2006)

Following the completion of the TG/HNCDS, the Housing Strategy was prepared to specifically address the provision of future housing in the Tea Gardens and Hawks Nest areas. The housing strategy acts as a guide for the preparation of future rezoning and development control provisions associated with housing.

The housing strategy identifies a set of principles consistent with the concept of sustainability and best practise urban form outcomes. Relevant to the planning proposal are the following two key principles:

- Encourage higher densities around focal points
- Restrict the inefficient use of land

The strategy supports the need to promote higher densities at suitable locations, near transport nodes and interchanges, as well as the development of land to its full potential. The planning proposal supports the above principles.

Unlike the recent development trends of medium density sites in Forster, the strategy indicates that development of medium density zoned land in Tea Gardens has effectively achieved suitable density yields. The housing strategy identifies that *“average densities in the medium density zone are around 50 dwellings per hectare”.* Furthermore the strategy indicates that *“it is reasonable to expect that two storey medium density residential development could achieve around 35 dwellings per hectare”*, thus delivering the desired densities for greenfield medium density sites. With several large greenfield medium density sites in Tea Gardens and Hawks Nest, Council believes that new planning provisions are necessary to ensure these densities continue to be achieved in the future.

Future growth projections for Tea Gardens and Hawks Nest indicate a predominately ageing population. The MNCRS forecasts an increasing number of smaller households and thus a greater future demand for smaller easy care housing options. The housing strategy supports the need for greater housing diversity and recommends that *“future housing needs to reflect the population characteristics with housing for the aging population required”.*

The housing strategy also identifies the need for greater housing diversity to help promote affordable housing options in Tea Gardens and Hawks Nest. The strategy claims *“the most effective measure that Council can undertake to encourage affordable housing is to ensure that a mixture of housing styles, types and sizes is provided in the future.”* By creating provisions which ensure minimum densities are achieved in medium density greenfield sites, Council will be encouraging the housing diversity necessary to assist in the provision of affordable housing.

South Forster Structure Plan (2006)

The South Forster Structure Plan (SFSP) was prepared by Council to guide future planning and development of the South Forster area. The SFSP combines the findings of previous strategies in terms of the protection of the environment, the provision of necessary infrastructure and the provision of appropriate forms of housing to meet the needs of the future population.

The SFSP indicates the need to “optimise the use of available land” in South Forster. It identifies that a higher proportion of appropriately located and well-designed medium density housing is required and that greater diversity of housing styles and designs is essential in meeting the needs of future communities.

The SFSP acknowledges the need to increase residential densities with the South Forster area. The plan identifies that the current housing stock in South Forster is predominantly single dwellings. The SFSP recognises that *“to ensure the efficient use of the remaining vacant land, the amount of single dwellings must be controlled and an emphasis placed on innovations and quality design of a mix of higher density housing forms in appropriate locations.”* The proposal seeks to establish provisions within the planning framework which will ensure future development of R3 greenfield sites in South Forster reach their full potential and deliver the desired development densities.

The SFSP maps the location of the existing medium density residential greenfield sites, as well as additional areas where the R3 zone may potentially be expanded in the future in the South Forster area. All sites are well located to be established as neighbourhood centres, supported by local services, existing road networks, future open spaces and low density housing.

Great Lakes 2030 Community Strategic Plan

The Great Lakes 2030 Community Strategic Plan (GL 2030) is a future planning document which aligns the community’s vision with a clear strategic direction for the Great Lakes region over the long term. The plan provides a blueprint for Council to ensure the delivery of infrastructure and services to meet the needs of the community.

A key objective of this plan is to “Plan for sustainable growth and development”. The plan identifies that this objective is to be achieved through managing growth to reflect current and future needs of the community. The composition and housing needs of the community in the future, as identified by the MNCRS, indicates a trend towards a high demand for smaller single and couple-only households supported by small easy care housing styles.

GL 2030 seeks to build a strong local economy. The Plan identifies the need to promote the Great Lakes region as an attractive area for residents and visitor by encouraging a supportive business environment, job opportunities, as well as transport and infrastructure that meets future needs. By creating provisions to achieve a minimum density within medium density residential sites, the

planning proposal will encourage innovative building designs and housing diversity which is currently lacking in the Forster and Tea Gardens areas. The planning proposal is consistent with the principles of GL2030 in creating liveable communities which support the local economy.

A key direction of GL 2030 is for Council to be a leader within the community. The planning proposal responds to representations made within the community for Council to be proactive in shaping the character of its local communities. Previously it has been left to the market to dictate how medium density land should be developed. As a result, prime land best suited for accommodating higher densities has been used for low density development. By creating new provisions to guide development densities within greenfield R3 Medium Density Residential Zone lands, Council demonstrates its leadership by ensuring that future development of these sites fulfils the desired outcomes and objectives of the R3 zone.

Is the Planning Proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policy Number 14 – Coastal Wetlands

There are numerous SEPP 14 lands in the Wallis Lake and in Pipers Creek area, adjacent to Forster, as well as in the lower Myall River, adjacent to Tea Gardens and Hawks Nest. The majority of greenfield medium density residential sites affected by this proposal do not include any mapped SEPP 14 lands.

A small portion of R3 zoned land adjacent to Piper's Bay, South Forster contains SEPP 14 lands. The site has previously been rezoned to R3 and the outcomes facilitated by this proposal will not significantly impact on the wetlands. All provisions relating to development on SEPP 14 lands apply to any future development proposals for the site.

State Environmental Planning Policy Number 26 – Littoral Rainforest

There are no areas within or adjoining the greenfield R3 Medium Density Residential zone sites affected by this proposal which are mapped State Environmental Planning Policy 26 – Littoral Rainforest.

State Environmental Planning Policy 71

State Environmental Planning Policy 71 – Coastal Protection (SEPP 71) applies to all land within the coastal zone as defined in the Coastal Protection Act. All greenfield R3 Medium Density Residential zone sites affected by this proposal are located within the coastal zone. SEPP 71 requires Council to consider the matters listed in Clause 8 of the Policy when Council proposes to prepare a draft Local Environmental Plan.

The following points address the matters listed in Clause 8:

- The Planning Proposal is consistent with the aims of SEPP 71;
- The Planning Proposal will not alter existing access to and along coastal foreshores;
- The outcomes facilitated by the Planning Proposal will ensure suitable development, consistent with the objectives of the R3 Medium Density Residential Zone, is achieved for greenfield sites;
- The outcomes facilitated by the Planning Proposal will not cause overshadowing or impact on views from coastal foreshores;
- The outcomes facilitated by the Planning Proposal will maintain the existing scenic qualities of the New South Wales coast;
- The outcomes facilitated by the Planning Proposal will not impact on terrestrial habitats, aquatic habitats, threatened species or wildlife corridors;

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- The outcomes facilitated by the Planning Proposal will not impact on coastal processes and coastal hazards. New development within the R3 greenfield sites will need to ensure they are designed to alleviate the potential for flooding and impacts of erosion.
 - The Planning Proposal seeks to create planning provisions to increase dwelling density's, thus encouraging compact towns and cities consistent with SEPP 71;
 - The outcomes facilitated by the Planning Proposal will not negatively impact on the water quality of coastal water bodies. New development within the R3 greenfield sites will need to ensure compliance with Council's stringent water quality provisions.
 - The outcomes facilitated by this Planning Proposal will not have a bearing on the potential for conflict between land and water based activities.

The Planning Proposal is considered acceptable and will not impinge on the scenic qualities of the coast. The proposal is consistent with SEPP 71.

The planning proposal is consistent with all other relevant SEPP's.

Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?

The Minister for Planning, under section 117(2) of the EP&A Act, issues directions that relevant planning authorities such as local councils must follow when preparing planning proposals for new LEPs. **Table 1** contains a response to each of the relevant directions in relation to the planning proposal.

Table 1 – Ministerial Directions

Direction	Aim of Direction	Response
EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial lands and support the viability of identified strategic centres.	Not relevant to this planning proposal.
1.2 Rural Zones	This direction applies to any planning proposal that will affect an existing or proposed rural zone. The direction states a planning proposal must not rezone rural land to urban or contain provisions to increase permissible densities in rural zones.	Not relevant to this planning proposal.
1.3 Mining, Petroleum Production and Extractive Industries	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.	Not relevant to this planning proposal.
1.4 Oyster Aquaculture	The objectives of this direction are to ensure Priority Oyster Aquaculture Areas and other aquaculture areas are adequately considered by planning proposals.	Not relevant to this planning proposal.
1.5 Rural Lands	The objectives of this direction to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural and related purposes."	Not relevant to this planning proposal.
ENVIRONMENT AND HERITAGE		

Direction	Aim of Direction	Response
2.1 Environment Protection Zones	To protect and conserve environmentally sensitive areas.	The planning proposal will not impact on environmentally sensitive areas.
2.2 Coastal Protection	The objective of this direction is to implement the principles in the NSW Coastal Policy.	Not relevant to this planning proposal.
2.3 Heritage Protection	To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Not relevant to this planning proposal as the affected sites are already zoned for residential development .
2.4 Recreation Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not relevant to this planning proposal.
HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Encourage a variety and choice of housing, minimise the impact of residential development on the environment and resource lands to make efficient use of infrastructure and services.	The planning proposal is consistent with this direction and promotes a range of future housing designs and styles. The proposal will optimise the development potential of R3 Medium Density Residential zone for greenfield sites and ensure efficient use of infrastructure and services.
3.2 Caravan Parks and Manufactured Home Estates	To provide for a variety of housing types and to provide opportunities for caravan parks and manufactured home estates.	Not relevant to this planning proposal.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	The planning proposal will not amend the permissibility for 'home occupations' to be undertaken in the R3 Medium Density Residential Zone.

Direction	Aim of Direction	Response
3.4 Integrating Land Use and Transport	The objectives relate to the location of urban land and its proximity to public transport infrastructure and road networks, and improving access to housing, jobs and services by methods other than private vehicles.	Existing R3 Medium Density Residential zone for greenfield sites are located in close proximity to public transport infrastructure and road networks. This planning proposal seeks to ensure that future housing within R3 Medium Density Residential zone for greenfield sites achieves a suitable density. In doing so transport infrastructure and services will be effectively utilised.
3.5 Development Near Licensed Aerodromes	To ensure the effective and safe operation of aerodromes.	Not relevant to this planning proposal.
3.6 Shooting Ranges	One of the main objectives is to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land.	There are no shooting ranges within the vicinity of R3 Medium Density Residential Zone land. This direction is not relevant to this planning proposal.
HAZARD AND RISK		
4.1 Acid Sulfate Soils	To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils (ASS).	Not relevant to this planning proposal.
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence	Not relevant to this planning proposal.
4.3 Flood Prone Land	This direction aims to reduce the risk of flood and to ensure that the development of flood prone land is consistent with NSW Flood Prone land policy.	The planning proposal has no effect on the requirement for future development on flood prone land to comply with the NSW Flood Prone Land Policy. All future development on R3 Medium Density Residential zoned greenfield sites will need to ensure the risk of flooding is effectively mitigated at the development application stage. The planning proposal is consistent with this direction.
4.4 Planning for Bushfire Protection	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 to encourage sound management of bush fire prone areas.	Not relevant to this planning proposal as the affected land is already zoned for residential development.
REGIONAL PLANNING		

Direction	Aim of Direction	Response
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The MNCRS aims to “ensure that new housing meets the needs of smaller households and an aging population by encouraging a shift in dwelling mix and type so that 60% of new housing is the traditional detached style and 40% is of multiunit style”. Furthermore it proposes that “settlement areas will be appropriately located and designed to maximise the affordability of housing, as well as to provide the type of housing styles and dwelling mixes that are appropriate to the aging population.” The planning proposal is consistent with this direction in sustaining the visions and strategies of MNCRS. The planning proposal will assist in achieving higher development densities in appropriately located areas and a range of future housing styles.
5.2 Sydney Drinking Water Catchments	The objective of this direction is to protect water quality in the Sydney drinking water catchment.	Not relevant to this planning proposal.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	To manage agricultural lands on the Far North Coast.	Not relevant to this planning proposal.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	To manage commercial and retail development along the Pacific Highway	Not relevant to this planning proposal.
5.8 Second Sydney Airport: Badgerys Creek	The objective of this direction is to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.	Not relevant to this planning proposal.
LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that GLLEP provisions encourage the efficient and appropriate assessment of development.	Not relevant to this planning proposal.
6.2 Reserving Land for Public Purposes	To facilitate the provision of public services and facilities by reserving land for public purposed and to facilitate the removal of reservations of land for public purposes where the land is not longer required from acquisition.	Not relevant to this planning proposal.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Not relevant to this planning proposal.
METROPOLITAN PLANNING		

Direction	Aim of Direction	Response
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Not relevant to this planning proposal.

3.3 Environmental, social & economic impact

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?

The planning proposal will not result in any adverse impacts on critical habitats or threatened species.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The planning proposal will not result in any adverse impacts on the surrounding environment.

Has the Planning Proposal adequately addressed any social and economic effects?

Social

The housing strategies for Forster/Tuncurry and Tea Gardens/Hawks Nest anticipate that the average occupancy rate of people per dwelling will continue to decline, creating an increase in demand for smaller housing options. With a predominately aging population the strategy identifies that there will be a need to create appropriate housing types to accommodate the growing number of disabled people and those with limited mobility. The planning proposal will assist in providing an opportunity for a diverse range of housing choices, including smaller housing options suited to the needs of an aging population.

The planning proposal will assist in promoting a greater diversity of housing choices which will suit the needs of a broader section of the community. The current housing styles in Forster and Tea Gardens are largely dominated by single dwellings and dual occupancy developments. Subsequently lower income earners find it very difficult to enter the housing market, unable to afford to rent or buy accommodation in these coastal towns. This is clearly reflected in the local population demographic which reveals a very low percentage of the population aged 20-30 years and a very high percentage of the population over 60 years of age.

The housing strategies identify that a range of housing types, tenures and styles should be available to meet the needs of people at different stages of their life cycle and negative economic circumstances. Single parent families which comprise 10% of the population (Census, 2011) and young people on lower incomes are particularly vulnerable to housing stress with limited housing options available to them. By providing for a greater diversity of housing options, the planning proposal will assist by helping to avoid the impacts of a housing market that excludes all but the relatively high income earners.

Furthermore by encouraging a mix of developments (retail, residential, commercial) within greenfield R3 Medium Density Residential zoned sites, the planning proposal will assist in the creation of connected and liveable neighbourhoods. Such neighbourhoods would promote safe and convenient pedestrian access to local services and facilities, as well as access by public transport to nearby larger shopping centres.

Economic

The planning proposal seeks to generate a greater diversity in housing options, thus providing for the housing needs of a more diverse demographic in the future. The Housing Strategy for Forster Tuncurry identifies that the trend in recent years of land being released for single dwellings must be controlled and an emphasis placed on innovation and quality of design of a mix of higher density housing forms in appropriate locations.

Smaller easy care housing design options would provide significant economic advantage to lower income families, such as single parent families or single person households. Similarly, smaller housing options would greatly benefit young people and couples who cannot afford the high costs associated with renting or purchasing a single dwelling. The proximity of greenfield R3 Medium Density Residential sites to services and local neighbourhood shops would further assist lower income families without access to a private vehicle. The sites are located to ensure easy access to public transport and connectivity to larger shopping centres and services.

The planning proposal would also provide greater economic viability of Council's infrastructure and services as a result of a more concentrated density of the population within greenfield medium density residential sites. Waste services would be more economically viable, as would the maintenance of roads networks, pedestrian walkways and other community facilities with a greater number of users accessing the infrastructure.

An increase in the density and style of housing may also generate a greater level of economic viability related to the cost of construction for developers. Multi-unit and mixed used developments have the potential to increase housing density without considerable additional cost per square metre. Demand for retail and commercial space in Forster and Tea Gardens is expected to continue to grow, with shop top residential style development options being attractive to potential business owners and developers seeking to maximise their investment return.

3.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

Water and Sewer:

Midcoast Water is the local government authority responsible for providing water and sewerage services to the Great Lakes, Greater Taree and Gloucester local government areas. Midcoast water have recently completed a revision of the *“Forster and Pacific Palms Sewer Servicing Strategy”* and the *“Manning District Water Supply Strategy”*. These strategies outline the infrastructure necessary to accommodate the existing and future demand for sewer and water services. Both strategies indicate that there is adequate capacity at the Forster Waste Water Treatment Works and the supply from the Manning Water Supply Scheme to accommodate future development in South Forster, including the provision of medium density residential development. The land affected by the Planning Proposal is already zoned for development so there is no unanticipated additional loading upon these services.

Electricity

The land affected by the Planning Proposal is already zoned for development so there is no unanticipated additional loading upon these services.

Telecommunications

The land affected by the Planning Proposal is already zoned for development so there is no unanticipated additional loading upon these services.

Road access

The land affected by the Planning Proposal is already zoned for development so there is no unanticipated additional loading upon these services.

This planning proposal will ensure future investment in the construction and maintenance of these roads is worthwhile, and the road network is well utilised as a result of higher densities being achieved.

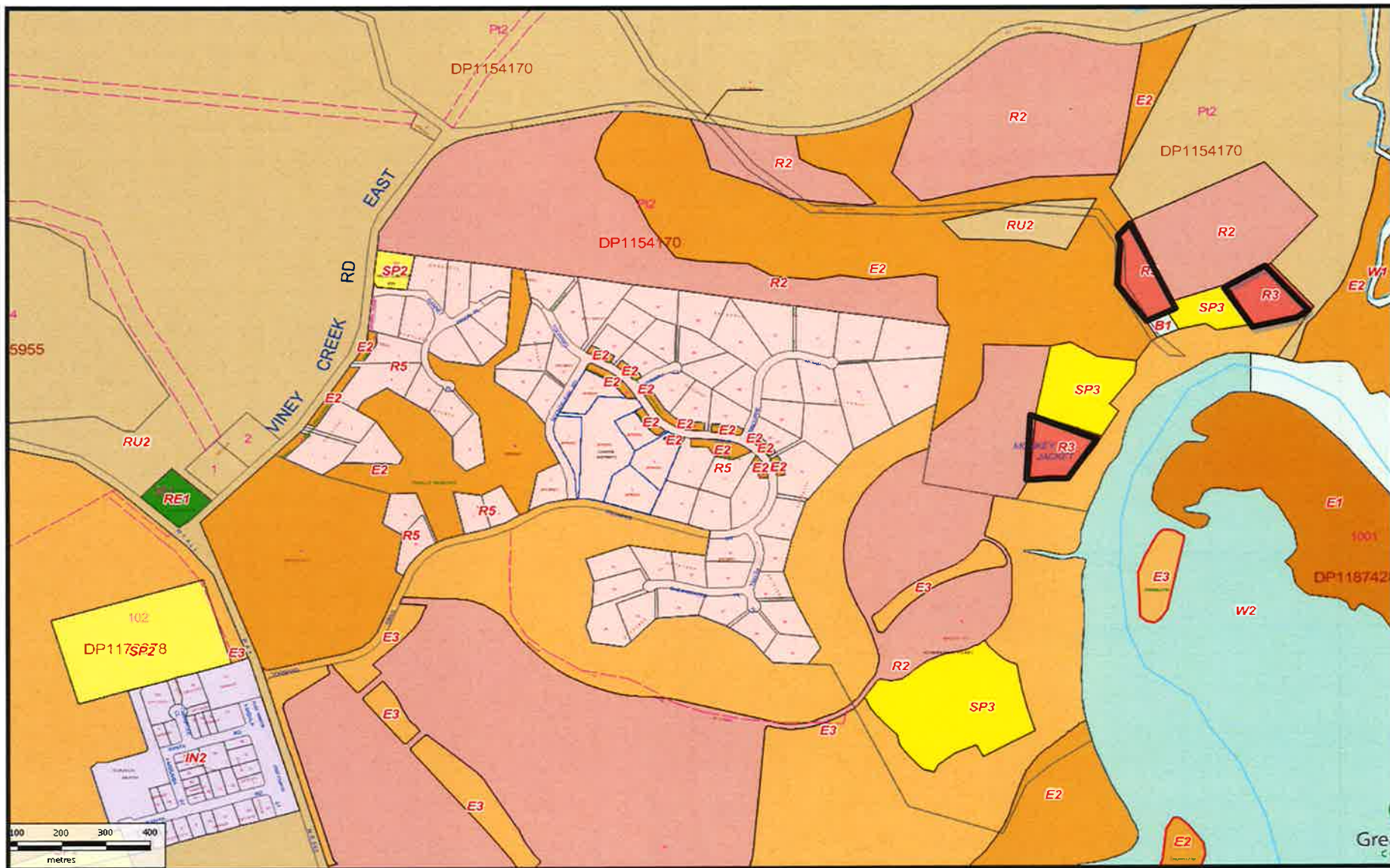
What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No consultation has taken place with State and Commonwealth authorities prior to seeking a Gateway Determination.

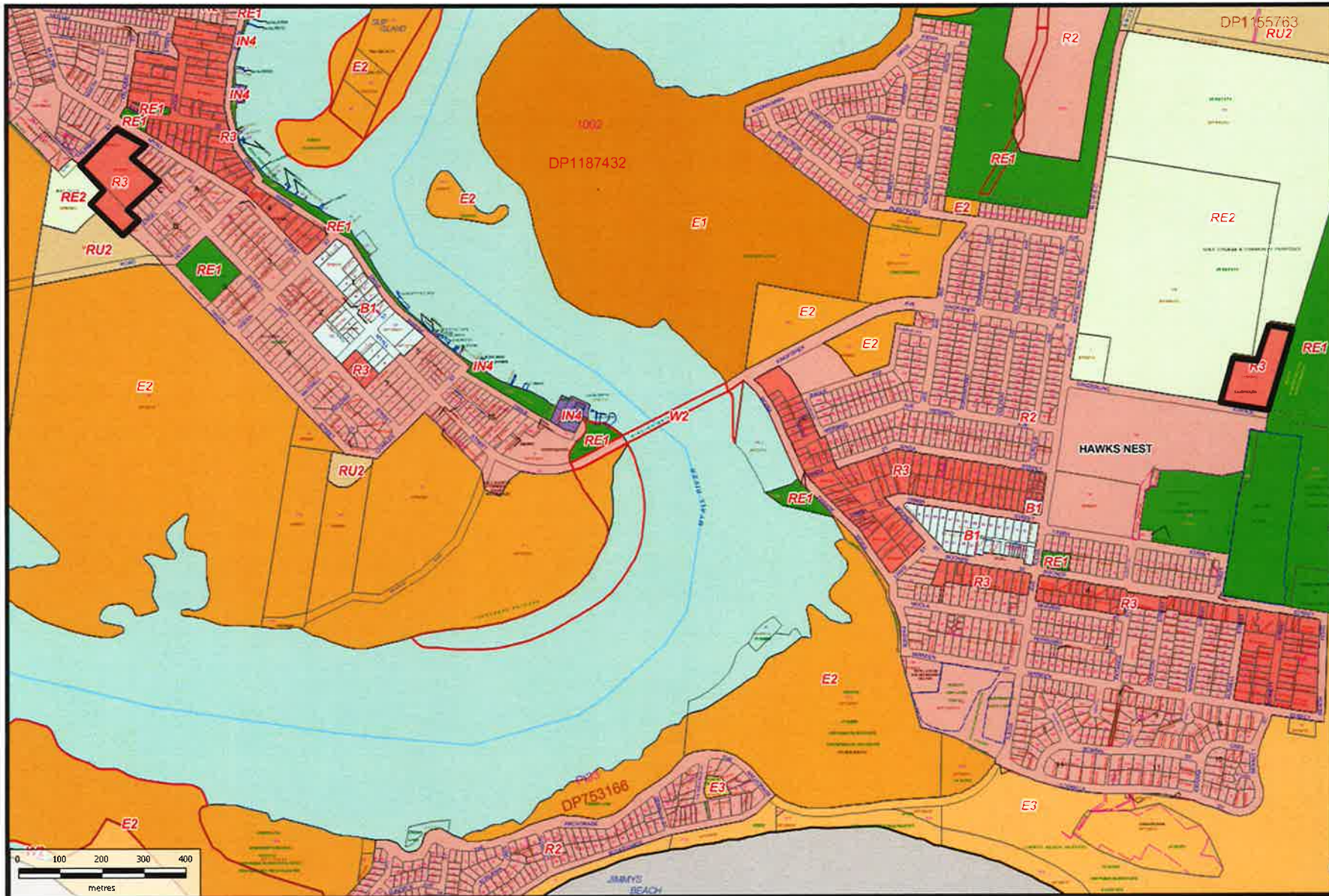
4.0 Mapping



Map 1: R3 Medium Density Residential Zone Greenfield Sites (South Forster)



Map 2: R3 Medium Density Residential Zone Greenfield Sites (North Shearwater, Tea Gardens)



Map 3: R3 Medium Density Residential Zone Greenfield Sites (Tea Gardens and Hawks Nest)

5.0 Community Consultation

In accordance with Section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979, this planning proposal will be made publically available for a minimum of 28 days.

In accordance with Council's adopted consultation protocols the planning proposal the following will be undertaken:

- Notice in the local newspaper;
- Exhibition material and relevant consultant documents to be made available at Council's Administration Buildings;
- Consultation documents to be made available on Council's website; and
- Letters advising of the proposed amendment to GLLEP 2014 be sent to all landowners of affected land parcels and other stakeholders that Council deem relevant to this planning proposal.

Requirements of the Gateway determination, in respect to Community Consultation, will be included in this section.

6.0 Project Timeline

<i>Estimated Time Period</i>	<i>Milestone</i>
November 2014	Planning Proposal to NSW Department of Planning & Environment seeking Gateway Determination
December 2014	Gateway determination from Dept Planning and Environment
January/February 2015	Community Consultation
March/April 2015	Review of submissions
June 2015	Report to Council for determination to adopt the Planning Proposal
August 2015	Submission to NSW Department of Planning & Environment to request making of the plan by the Minister.

7.0 Conclusion

An emerging pattern of predominately low density development within medium density residential zones in Forster has created the need for Council to intervene in order to guide the future development of greenfield R3 zoned lands. When left to the market to decide, recent housing trends has resulted in prime land identified for medium density development being under developed and predominantly occupied by single dwellings and dual occupancies.

To ensure the trend doesn't continue, Council in preparing the GLLEP 2014 made single dwellings prohibited in the R3 Medium Density Residential Zone. Council's seeks to create new planning provisions to adequately address the issue of dwelling density, permissibly and diversity within greenfield R3 zoned lands. Concurrently with the new provisions, Council will remove the prohibition of single dwellings in R3 Medium Density Residential zones.

The planning proposal is consistent with the MNCRS which seeks to provide housing styles and dwelling mixes suited to the needs of a more diverse population. The MNCRS anticipates a significant growth in the number of smaller households consisting of single person and couple only families. Subsequently there will be a greater demand for smaller easy-care housing options which are compatible with the style and mix of development supported within the medium density zone.

Several strategies and plans prepared by Council over the past decade acknowledge the importance of housing diversity and the need for providing a range of housing options and styles to suit the needs of future populations. The South Forster Structure Plan, adopted by Council in 2007, indicates the need to "optimise the use of available land" in South Forster. In addition, the Tea Gardens Housing Strategy identifies the need for greater housing diversity to help promote affordable housing options in Tea Gardens and Hawks Nest. These strategies recognise the significant role medium density zoned land plays in facilitating housing diversity and affordability. Furthermore these strategies recommend changes to local planning controls to effectively ensure future development of R3 land achieves its full development potential.

By providing for a greater diversity of housing options, the proposal will help to stimulate change to the structure of the local demographic. Those people currently excluded from the area due to a lack of affordable housing will have access to housing options more suited to their needs than that which is currently available. The proposal will assist to avoid the impacts of an exclusive housing market, only accessible to those on relatively high incomes.

The planning proposal is consistent with all applicable SEPPs and with Section 117 Directions as they apply to the planning proposal.

The proposal seeks to amend GLLEP 2014 by removing the prohibition of dwellings from the R3 zone and establish a legal mechanism to ensure a minimum development density is achieved within R3 zoned greenfield sites.