

<b>20DP003</b>	Planning Proposal – Proposed rezoning of Ramsgate Estate, Wyee Point
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<b>Key focus area</b>	Unique Landscape
<b>Objective</b>	New development and growth complements our unique character and sense of place Natural environments are protected and enhanced
<b>File</b>	RZ/4/2019 - D09518687
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### ***Executive summary***

Ramsgate Estate is a 36ha paper subdivision located at Wyee Point. Travers Environmental has lodged a LEP amendment request on behalf of FTLR Pty Ltd, Lake Macquarie City Council and Private Land Owners (PLOs) to rezone some of the land within Ramsgate Estate, which is currently zoned E4 Environmental Living and R2 Residential.

The proposed amendment to Lake Macquarie Local Environmental Plan 2014 (LMLEP 2014) seeks to rezone part of the Ramsgate Estate from R2 Low Density Residential and E4 Environmental Living to E2 Environmental Conservation and R2 Low Density Residential (see Figure 1). Minimum Lot Size Map and Height of Buildings Map will be amended to reflect the corresponding controls of the proposed zones.

### ***Recommendation***

Council:

- A. requests a Gateway Determination from the Department of Planning, Industry and Environment, pursuant to the *Environmental Planning and Assessment Act 1979*, in relation to the Planning Proposal for the site, as contained in Attachment 1.
- B. undertakes government agency consultation and studies in accordance with the Gateway Determination.
- C. places the Planning Proposal on public exhibition, subject to the outcome of the Gateway Determination.
- D. notifies stakeholders and affected landowners of public exhibition as required.
- E. reports the Planning Proposal back to Council following public exhibition.

### ***Discussion***

The Planning Proposal seeks to amend the Land Zoning Map, Lot Size Map, Height of Buildings Map and Urban Release Area Map of LMLEP 2014 for the subject land. Proposed changes are illustrated at Part 2 and Part 4 of *Attachment 1 – Planning Proposal – Ramsgate Estate*.

Development under current provisions will result in a total lot yield of approximately 141 lots. The proposed rezoning is anticipated to increase yield by approximately 40 lots. The total yield of approximately 181 lots on a smaller development footprint will make more efficient use of land and accommodate more households.

It is considered that the rezoning of some of the land currently zoned E4 and R2 to E2 will provide favourable ecological outcomes for the site when compared with the existing zoning. The current E4 zoned land has a minimum lot size of 1,250 m<sup>2</sup> under LMLEP 2014 which is only slightly larger than the traditional quarter acre residential block. This minimum lot size and likely development outcome is at odds with the objectives of the E4 zone. Given this lot size, the retention of areas of native vegetation and habitat trees within the proposed development is unlikely. The objectives of the E4 zone, including low impact residential development, development that does not impact on ecological scientific or aesthetic values, and rehabilitation of environmentally important land, are not likely to be achieved given the residential allotment size. Given that development on E4 zoned land (with 1,250m<sup>2</sup> minimum lot size) would have similar ecological impacts to development of the land if it was zoned R2, the proposed rezoning is the preferred option as it reduces the overall development footprint, while increasing dwelling yield and land zoned for conservation.

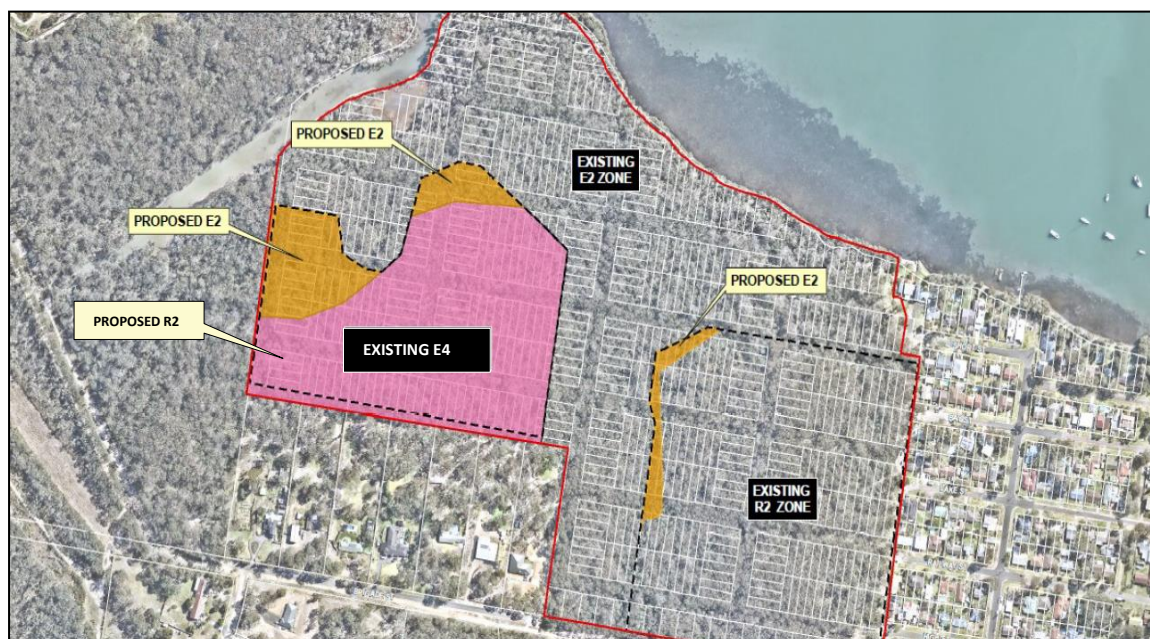


Figure 1 – Ramsgate Estate – Proposed zones overlaid on existing zones

Ramsgate Estate is a historical paper subdivision which was registered in 1885. Although clearing had occurred as early as 1972, the roads were never formally constructed nor were other infrastructure and utility services provided. Consequently, housing development has not occurred on the site, despite the subdivision pattern.

Ramsgate Estate was rezoned on 4 October 2013 to a combination of 2 (1) Residential (10.6 ha), 7(1) Conservation Primary (17.7 ha), and 7(5) Environmental Living (7.8 ha). The amendment also reclassified 86 Council-owned lots from community to operational land in order to facilitate development, allow future transfer of title, and enable biodiversity offset agreements.

In August 2018, DA/1430/2018 was lodged for the consolidation and re-subdivision of lots and public roads within Ramsgate Estate and some land to the west. The DA proposes two development lots with access road reserves and one conservation offset lot, along with the clearing of those lots and access roads. The footprint of the two development lots is reflective of the proposed zoning changes, rather than existing zones (see Figure 2). At the time of writing, DA/1430/2018 is under assessment.

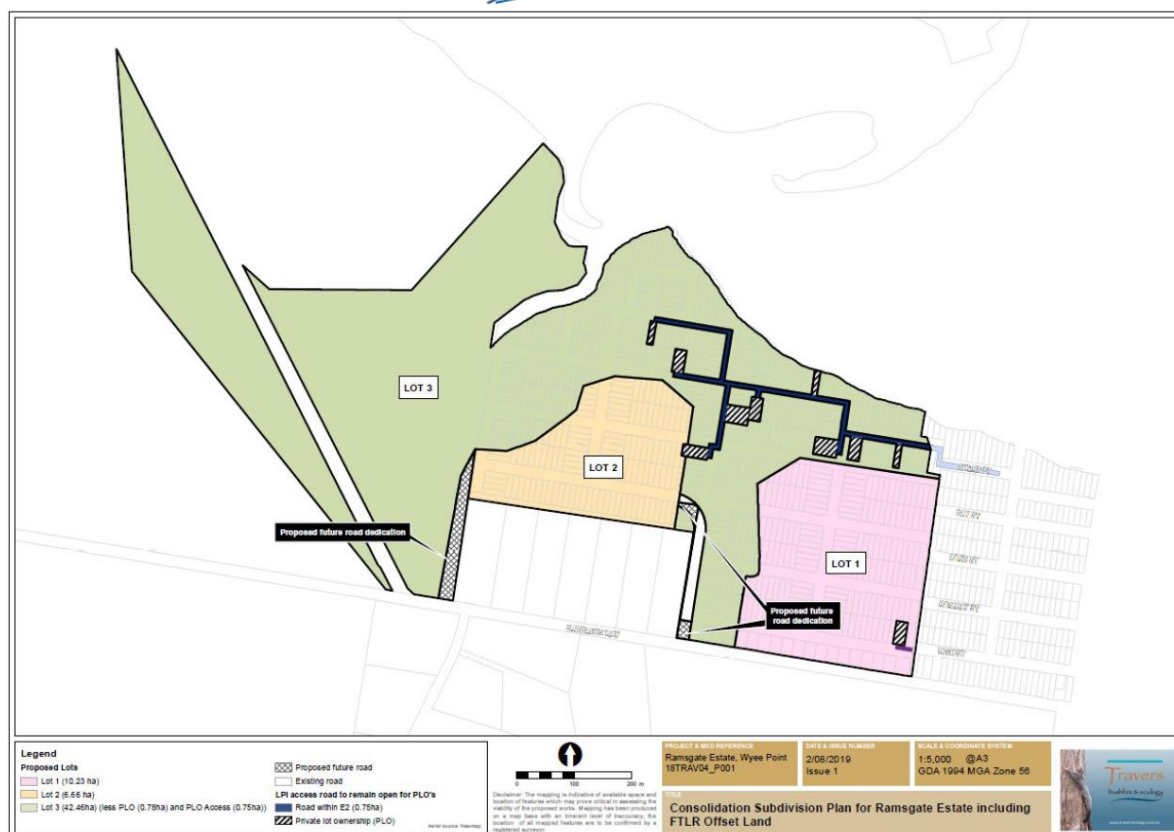


Figure 2 – Re-subdivision proposed under DA/1430/2018 – Two development lots and one conservation offset lot. Development lots reflect the proposed zone boundaries rather than existing zone boundaries.

## Community engagement and internal consultation

Internal consultation has occurred with Council's Rezoning Advisory Panel, which includes Council staff from Integrated Planning, Community Partnerships, Asset Management, Environmental Systems, Development Assessment and Certification and Property and Business Development. The Rezoning Advisory Panel agreed that the rezoning request has merit. Further consultation occurred with Environmental Systems to assess specific aspects of the rezoning proposal. The Planning Proposal reflects feedback from Council departments.

All owners of land within the proposed rezoning area are aware of the Planning Proposal.

The Gateway determination will identify consultation requirements with the community and government agencies.

## Key considerations

<p><b>Economic impact</b></p>	<ul style="list-style-type: none"> <li>Increased employment opportunities through construction jobs</li> <li>Increased economic stimulus to the region through flow-on effects</li> <li>Increased population catchment for local businesses</li> <li>Opportunities to provide more affordable homes in Lake Macquarie City</li> </ul>
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<b>Environment</b>	<ul style="list-style-type: none"> <li>The planning proposal will result in improved environmental outcomes on the site including native vegetation, habitat trees, wetland areas, and vegetation corridors.</li> <li>A review of existing environmental studies for the site will be undertaken following Gateway Determination, including traffic, bushfire and biodiversity.</li> </ul>
<b>Community</b>	<ul style="list-style-type: none"> <li>The planning proposal will result in a greater population which will help support the viability of existing and new community services and facilities in Wyee Point.</li> <li>The Wyee Point community will be consulted in accordance with Council's Community Participation Plan, which requires an exhibition timeframe of 28 days.</li> </ul>
<b>Civic leadership</b>	<ul style="list-style-type: none"> <li>Council's engagement with landowners is key to resolving complex issues associated with paper subdivision development.</li> </ul>
<b>Financial</b>	<ul style="list-style-type: none"> <li>The costs associated with this rezoning, including staff time and exhibition costs, are being covered by the applicant as per Council's rezoning fees, listed in Council's fees and charges.</li> </ul>
<b>Infrastructure</b>	<ul style="list-style-type: none"> <li>A traffic study prepared as part of the previous rezoning of the site concluded that existing road infrastructure in Wyee Point could withstand traffic impacts from the development of up to 250 residential lots.</li> <li>The study was based on connections to the development via Bay Street and High Street, and also considered impacts on the intersection of Government Road and Ruttleys Road. The study did not consider impacts on Larapinta Drive.</li> <li>A new traffic study should be prepared following Gateway to account for higher density and lot yield, and connection via Larapinta Drive.</li> <li>Additional infrastructure, including roads, drainage, water and sewer will be required for future residential development. This would be a requirement at subdivision stage.</li> </ul>
<b>Risk and insurance</b>	<ul style="list-style-type: none"> <li>The risks associated with preparing a planning proposal are being minimised by following the process outlined in the <i>Environmental Planning and Assessment Act 1979</i>, the <i>Environmental Planning &amp; Assessment Regulation 2000</i>, and Council's <i>Local Environmental Plan Amendment Procedure</i>.</li> </ul>

### ***Legislative and policy considerations***

Environmental Planning and Assessment Act 1979

Lake Macquarie Local Environmental Plan 2014

Imagine Lake Mac

### ***Attachments***

1. Planning Proposal – Ramsgate Estate

D09578807