

<b>21SP066</b>	Exhibition of the draft Ramsgate Estate Wyee Point Area Plan
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<b>Key focus area</b>	1. Unique landscape
<b>Objective</b>	1.3 New development and growth complements our unique character and sense of place
<b>File</b>	F2021/01285/04 - D10026083
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<b>Previous items</b>	<p>20DP003 - Planning Proposal - Proposed rezoning of Ramsgate Estate, Wyee Point - Development and Planning Standing Committee - 10 Feb 2020 6:30pm</p> <p>20SP050 - Ramsgate Estate, Wyee Point - Proposed Sale of Council's Land and Closed Roads. - Ordinary Council Meeting - 22 Jun 2020 6:00pm</p> <p>21OS003 - Wyee Point - Ramsgate Estate - Proposed road closures - Organisational Services Standing Committee - 08 Feb 2021 6.30pm</p>

## Executive Summary

This report presents the draft Ramsgate Estate, Wyee Point Area Plan (draft area plan) for exhibition. It follows Council's previous decision (20DP003) to prepare a planning proposal (RZ/4/2019) to change land use zones for the same area. The draft area plan will guide and coordinate the development of this land.

Before Council can consent to development on the land, an area plan is required under the *Lake Macquarie Local Environmental Plan (LMLEP) 2014*. This report seeks Council's support to exhibit the draft area plan for 28 days. It is intended to exhibit the draft area plan with the related planning proposal.

## Recommendation

Council:

- A. prepares and exhibits the draft Ramsgate Estate Wyee Point Area Plan (Attachment 1) as an amendment to Lake Macquarie Development Control Plan 2014 for 28 days,
- B. notifies stakeholders and affected landowners of the exhibition as required, and
- C. receives a further report detailing feedback received during exhibition and any proposed changes to the draft area plan.

## Discussion

The draft area plan covers a paper subdivision known as the Ramsgate Estate, as shown in Figure 1. This 70 ha of undeveloped land adjoins the existing residential area of Wyee Point.

As it is identified on the Urban Release Area Map in the *LMLEP 2014*, an area plan is required before development applications can be determined. The draft area plan (Attachment 1) will meet this requirement and will guide the subdivision and future development of the Ramsgate Estate and is a necessary step to resolve the historic Ramsgate Estate paper subdivision.

#### Paper subdivision

Ramsgate Estate paper subdivision was registered in 1885. It resulted in 608 lots (averaging 400m<sup>2</sup>) and 12 streets. At that time, there was no requirement to construct essential infrastructure, so most of the lots were created without formed roads, drainage, supply of water, or sewerage. The estate was subdivided separately to surrounding lands, and, as a result, most lots have no legal access. The site contains bushland with no formal infrastructure. The draft area plan intends to address the access and servicing issues as well as those of biodiversity, bushfire, water quality and connectivity.

FTLR Pty Ltd is the major landowner in the estate. Although Council previously owned some land in the residential and conservation precincts, on 22 June 2020 Council resolved (20SP050) to sell the 54 lots in the residential precincts. The lots were sold to FTLR Pty Ltd, and on 8 February 2021 (21OS003) Council resolved to close most of the existing paper roads to enable redevelopment.

#### Planning proposal RZ/4/2019

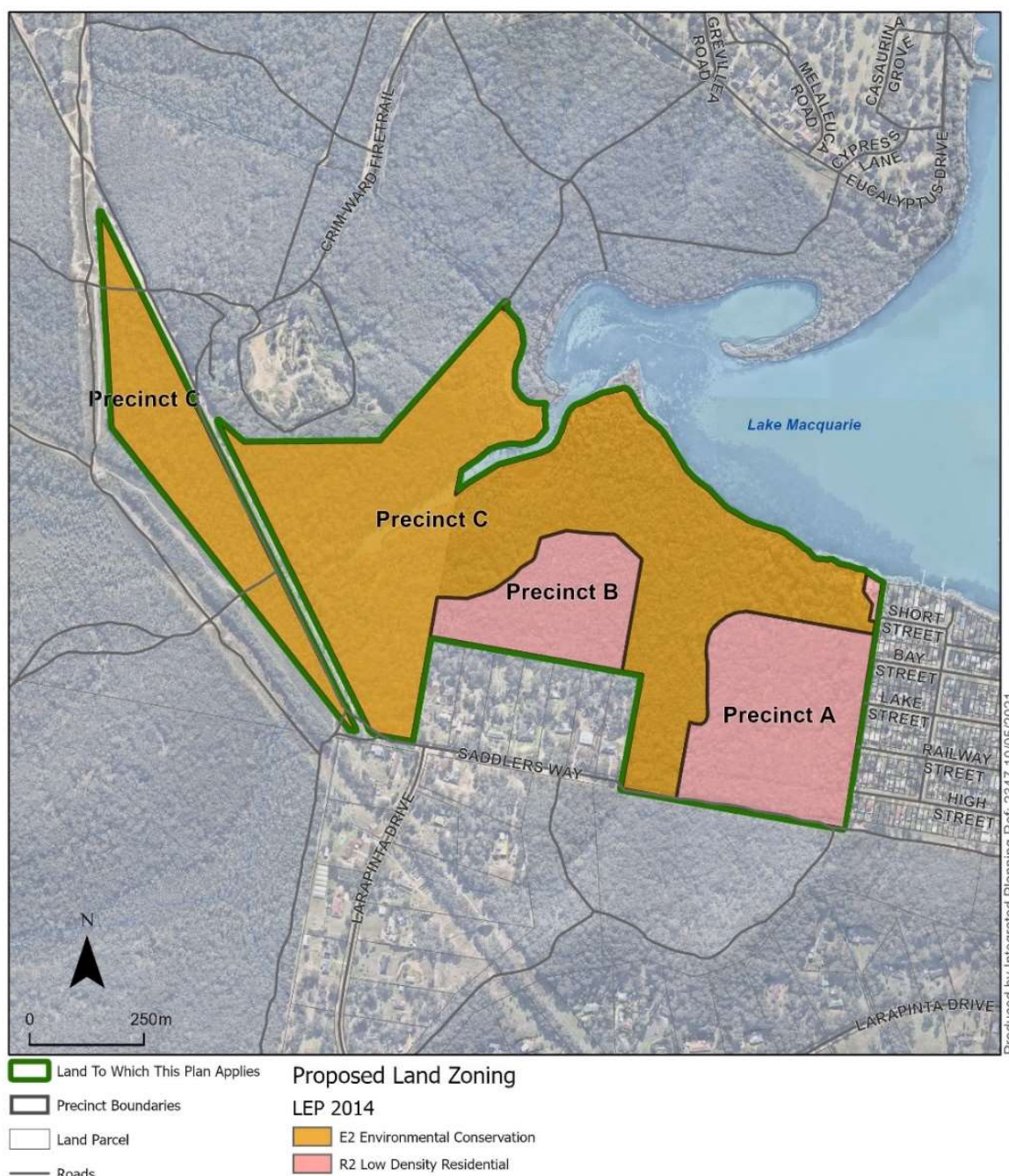
On February 10 2020, Council resolved (20DP003) to exhibit a planning proposal for Ramsgate Estate Wyee Point. The planning proposal aims to change the zone from E4 Environmental Living to part R2 Low Density Residential and part E2 Environmental Conservation. The proposed land use zones are shown in Figure 1 below while Attachment 2 shows the current zones.

#### Draft Ramsgate Estate Wyee Point Area Plan (draft area plan)

The draft area plan will guide the orderly and economic development of the land once the zones are changed. It includes planning controls to guide land development including the provision of roads, water and sewer services as outlined in the *LMLEP 2014*.

The draft area plan includes three precincts. Precincts A and B are identified for future residential development. Precinct C is identified for environmental conservation. The draft area plan contains the proposed new land use zones provided in the planning proposal, as shown in Figure 1. Council aims to exhibit the draft area plan and planning proposal together.

It is worth noting that two properties (1 and 3 Keightley Street) in the north eastern corner of Ramsgate Estate contain dwellings that have access and are connected to utility services. As these properties are included on the Urban Release Area Map in the *LMLEP 2014*, they are included in the draft area plan as a technicality, but the draft area plan will not impact these two properties.



**Figure 1 – Ramsgate Estate Precinct Plan**

### Development Application (DA/1430/2018)

Council is assessing a development application (DA) lodged by FTLR Pty Ltd to consolidate the majority of paper lots and paper roads into three super lots, reflecting the precinct boundaries in Figure 1.

Council is also negotiating a voluntary planning agreement to secure the land zoned E2 Environmental Conservation as a biodiversity offset, which would ultimately be transferred to Council as public reserve. The biodiversity offset land is shown as Precinct C in Figure 1. This draft area plan aligns with the DA and biodiversity offset negotiations.

A second development application would be required to subdivide the Precinct A and B super lots into residential sized lots with a new road network. Council would assess the development application against the Ramsgate Estate Wyee Point Area Plan. The applicant has not yet lodged such an application to subdivide.

### ***Assessment of options***

The exhibition and progression of the draft area plan is the preferred option as it will allow the determination of development applications and coordinate the development of Ramsgate Estate. The draft area plan will help resolve the long-term planning issues associated with the paper subdivision, and provide controls for the delivery of roads, essential services, bushfire protection and water quality management.

Not proceeding with the draft area plan could inhibit development of the Ramsgate Estate and leave the paper subdivision unresolved and lots without services.

### ***Community engagement and internal consultation***

Integrated Planning prepared the draft area plan in consultation with the Development Assessment and Certification, Environmental Systems, Asset Management, and Property and Business Development departments.

Integrated Planning staff consulted with relevant government agencies and utility providers in relation to the associated planning proposal (RZ/4/2019). Further consultation will occur during the exhibition period.

The draft area plan incorporates comments from staff and agencies. It is recommended it be placed on exhibition for a minimum of 28 days with the planning proposal. Although not a requirement, exhibiting these documents together provides clarity for the community, industry, landowners and relevant government agencies when providing input.

### ***Key considerations***

<b>Economic impacts</b>	Preparing the draft area plan will allow the determination of development applications and assist in the delivery of roads and essential services. It will also help to develop land subject to a historic paper subdivision. Future development of the estate will improve the viability of the neighbourhood centre in Wyee Point.
<b>Environment</b>	The draft area plan includes controls to protect areas of biodiversity value, offset any loss of biodiversity values, manage bushfire threat, and manage stormwater and water quality.
<b>Community</b>	The proposed exhibition of the draft area plan will give the community an opportunity for comment. Council envisages Ramsgate Estate will be an extension to the existing suburb of Wyee Point. The draft area plan will guide the development of the new area to integrate with the existing suburb and addresses potential bushfire threats for the community.
<b>Civic leadership</b>	The draft area plan will achieve an integrated and coordinated approach to the development of the precinct.
<b>Financial</b>	The exhibition of the draft area plan will have no financial impacts to Council, apart from Council staff time spent preparing the draft area plan.

<b>Infrastructure</b>	<p>The draft area plan does not require Council to develop infrastructure, but sets standards for the design and construction of future roads, and pedestrian and cycle links in the paper subdivision.</p> <p>A traffic study prepared as part of the planning proposal concluded the surrounding road network can accommodate future subdivision of the site.</p>
<b>Risk and insurance</b>	<p>Implementing the draft area plan will assist in the provision of essential infrastructure and the development of land in the paper subdivision. Preparation of a draft area plan is a standard Council activity and any risks are minimised by following legislative requirements.</p>

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

The recommendation of this report is consistent with

*Environmental Planning and Assessment Act 1979*

*Lake Macquarie Local Environmental Plan 2014*

Lake Macquarie Development Control Plan 2014

### ***Attachments***

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| 1. Draft Ramsgate Estate Wyee Point Area Plan                             | D10221305 |
| 2. Extract from Planning Proposal RZ/4/2019 - Ramsgate Estate, Wyee Point | D10126167 |