

LIVEABLE COMMUNITIES

ATTACHMENT A

**PLANNING PROPOSAL – LAKE STREET,
FORSTER**

ORDINARY MEETING

22 APRIL 2020

Planning Proposal to amend Great Lakes Local Environmental Plan 2014

Rezoning of land at Lake Street Forster

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Revised by All About Planning Pty Ltd in consultation with MidCoast Council



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Version	Purpose of Document	Author	Date
1	For Lodgement with Council	RD	May 2019
2	Council Issue to All About Planning	RU	24 January 2020
3	Report to Council for Gateway Determination	AAP	March 2020
4	Editorial amendments prior to reporting to Council	RP	6 April 2020
5	Minor editorial amendments to reflect Gateway Determination	xxx	xxx
6	Amendments in response to agency consultation prior to exhibition	xxx	xxx
7	Incorporation of results of public exhibition	xxx	xxx

1. Introduction

This Lake Street Forster Planning Proposal (herein referred to as the Planning Proposal) has been prepared by MidCoast Council in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant NSW Department of Planning, Industry and Environment (Department) Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals* (2019). It outlines the intended effect and strategic merit justification for the proposed amendments to *Great Lakes Local Environmental Plan 2014* (GL LEP 2014).

The proclamation of 12 May 2016 ratified the merger of the Local Government Areas of Gloucester Shire, Greater Taree and Great Lakes Councils into Mid-Coast Council. A four-way merger was later created by the addition of MidCoast Water. GL LEP 2014 still stands as a separate environmental planning instrument. This planning proposal seeks to amend GL LEP 2014 by rezoning the site from R3 Medium Density Residential to R4 High Density Residential and increasing the maximum height of buildings across the site.

2. Description of the land and surrounds

This planning proposal relates to six parcels of land (the land) in Lake Street, Forster. The subject land includes:

- Lot A DP 334388 (16 Lake Street Forster), being 650 m² and owned by Ampol Pty Ltd (Caltex Service Station);
- Lot B DP 334388 (18 Lake Street Forster), being 650 m² and owned by Ampol Pty Ltd (Caltex Service Station);
- Street Forster) being 2,060 m² and owned by Merrylands RSL Club;
- Lot 4, Section 13, DP 758422 (10-12 Lake Street Forster) being 2,060 m² and owned by Merrylands RSL Club;
- Lot 1 DP 863309 (14 Lake Street Forster), being 2,800m² and owned by Ingleburn RSL; and
- Lake Lane, being 795 m² and owned by Mid-Coast Council.

The total combined site area the subject of the proposed rezoning is 9,015m².

The subject land is located within Forster, immediately east of the central business district (CBD) and immediately west of the Forster Civic Precinct site, as shown in Figure 1.

The Forster Civic Precinct site is a substantial approved adjacent development under construction since January 2020. Stage One of the build incorporates significant new Council facilities including:

- new public library of 2,000m² including offices, meeting rooms and amenities
- indoor and outdoor public community space capable of accommodating at least 200 people

- MidCoast Council customer service centre
- a Visitor Information Centre of 100m² including office space and shared community lounge with the library
- over 180 car parking spaces, disabled parking spaces and associated roadworks
- community green spaces and gardens



Figure 1 Location of subject land

The subject site is generally flat with surface levels across most of the site varying between five (5) and 4 (metres) Australian Height Datum. The site, except for Lake Lane, is developed.

Lot 3 and Lot 4, Section 13, DP 758422 is known as Gallipoli Court. It contains 20 self-contained holiday apartments. The apartments are 1 and 2 storey in height each containing 2 / 3 bedrooms. Gallipoli Court also contains an in-ground swimming pool and BBQ area, at grade car parking and landscaped areas.

Lot 1 DP 863309 is known as Ingleburn RSL (Sunseeker Motor Inn) and is a L shaped parcel with frontage to Lake Street and also Macintosh Street. It includes 13 single storey self-contained holiday apartments, with a mixture of 1, 2 and 3 bedrooms. The Sunseeker Motor Inn includes an in-ground swimming pool, BBQ area, at grade car parking, landscaped areas and a two storey managers' residence at the Lake Street frontage.

Lake Lane is at the rear of Gallipoli Court and the Sunseeker Motor Inn and is a 10 metre wide unformed (but maintained by regular mowing) laneway.

To the immediate east of the Sunseeker Motor Inn on the south-west corner of the intersection of Lake Street and Macintosh Street is an operating Caltex Service Station. The service station occupies Lot A and Lot B DP 334388 and forms part of the planning proposal area.

To the south of the site is approximately ten separate land parcels zoned R3 Medium Density Residential under GL LEP 2014. These lots contain mostly single storey detached dwellings and the Forster Gardens Holiday Cottages and units.

Figure 2 illustrates the properties included in the planning proposal, as do the following site photographs.

Photo 1: View of site looking south from Lake Street Source: All About Planning Pty Ltd



Photo 2: View of site looking west from Macintosh Street into Lake Lane Source: All About Planning Pty Ltd





Photo 3: View of site looking west from Macintosh Street at existing service station, located corner of Lake Street and Macintosh Street Source: All About Planning Pty Ltd



Photo 4: View of site looking north west from Macintosh Street at existing sunseeker holiday units, that are located on the corner of Lake Lane and Macintosh Street Source: All About Planning Pty Ltd



Figure 2 Properties included in the planning proposal

3. Potential development outcomes

The planning proposal will enable an increase in built form (height, bulk and scale) consistent with a high-density residential environment. The delivery of the planning proposal is supported by an Urban Design Analysis Report (UDAR) provided in **Appendix D** and more recent strategic planning work undertaken by MidCoast Council as part of the Draft MidCoast Housing Strategy, to develop a consistent, region-wide plan for the MidCoast, as discussed in Part 3 - Section B of this planning proposal.

The UDAR (at **Appendix 4**) notes the subject site's central location within close proximity to the Forster commercial core, the waterfront and the adjoining Civic Precinct and along two significant transport corridors emphasising its importance as a key development site for Forster. Further, Lake Street is identified as a key pedestrian street linking the southern part of the CBD to the waterfront, commercial core and the beach.

Planning for this part of Forster has changed since the master planning undertaken in 2008/2009 and the implementation of GL LEP 2014 and GL DCP 2014. The relocation of the Civic Precinct to the corner of Lake and West Streets will provide an opportunity for more intensive development within this immediate area just south of the Forster commercial core and adjoining the Civic Precinct.

The Civic Precinct incorporates a mixed-use zone that will provide a range of community facilities, retail and commercial floor space and residential and tourist accommodation. It is proposed to increase the height to support these more intensive land uses.

The UDAR investigated two development scenarios (rezoning to R4 High Density Residential and rezoning to B4 Mixed Use). Modelling and visual analysis discussion is contained in **Appendix D**. For both scenarios, the building heights and floor space controls are generally similar to controls for land opposite to the north and will integrate with the planned future urban form for the area.

The UDAR did not identify any significant negative impacts for the surrounding areas for either scenario with regard to visual impacts. Further, the development of this site would have beneficial impacts by complementing the Civic Precinct and an opportunity to invigorate the area and improve aesthetics as outlined in the *Good Design Guidelines* by the NSW Government Architect.

4. Planning Proposal

Part 1 - Objectives or intended outcomes

(s.3.33(2)(a) A statement of the objectives or intended outcomes of the proposed instrument)

The objective of the Planning Proposal is to change the statutory land use controls over Lots A and B, DP 334388, Lot 3 and Lot 4, Section 13, DP 758422, Lot 1 DP 863309 and Lake Lane (the “subject site”) to allow for an increase in built form consistent with a high density residential environment. The objective is to also increase the opportunities for a greater variety of housing and tourist and accommodation types and achieve an increase in permanent population density in a location that will support the Forster business centre.

The intention is to amend the GL LEP 2014 by:

- Applying the land use zone of R4 High Density Residential to the subject site; and
- Amending the height of buildings control as it affects the subject by increasing the maximum building height to 30 metres.
- Amending the floor space ratio control to the subject site to no longer apply.

Part 2 - Explanation of provisions

(s.3.33(2)(b) An explanation of the provisions that are to be included in the proposed instrument)

The objectives and intentions would be achieved by an amendment to GL LEP 2014. This can be achieved by amending the GL LEP 2014 maps, as outlined below:

- Amend zoning map (Tile LZN_011D) as it affects the subject site by changing the zone from R3 Medium Density Residential to R4 High Density Residential; and
- Amend the height of buildings map (Tile HOB_011D) as it affects the subject site by changing the maximum building height from 12 metres to 30 metres.
- Amend the floor space ratio map (Tile FSR_011D) to remove this site from the map.

Current and proposed zoning maps and height of buildings maps are provided in **Figures 3 - 4**.

Figure 3 – Existing and proposed zoning on the site

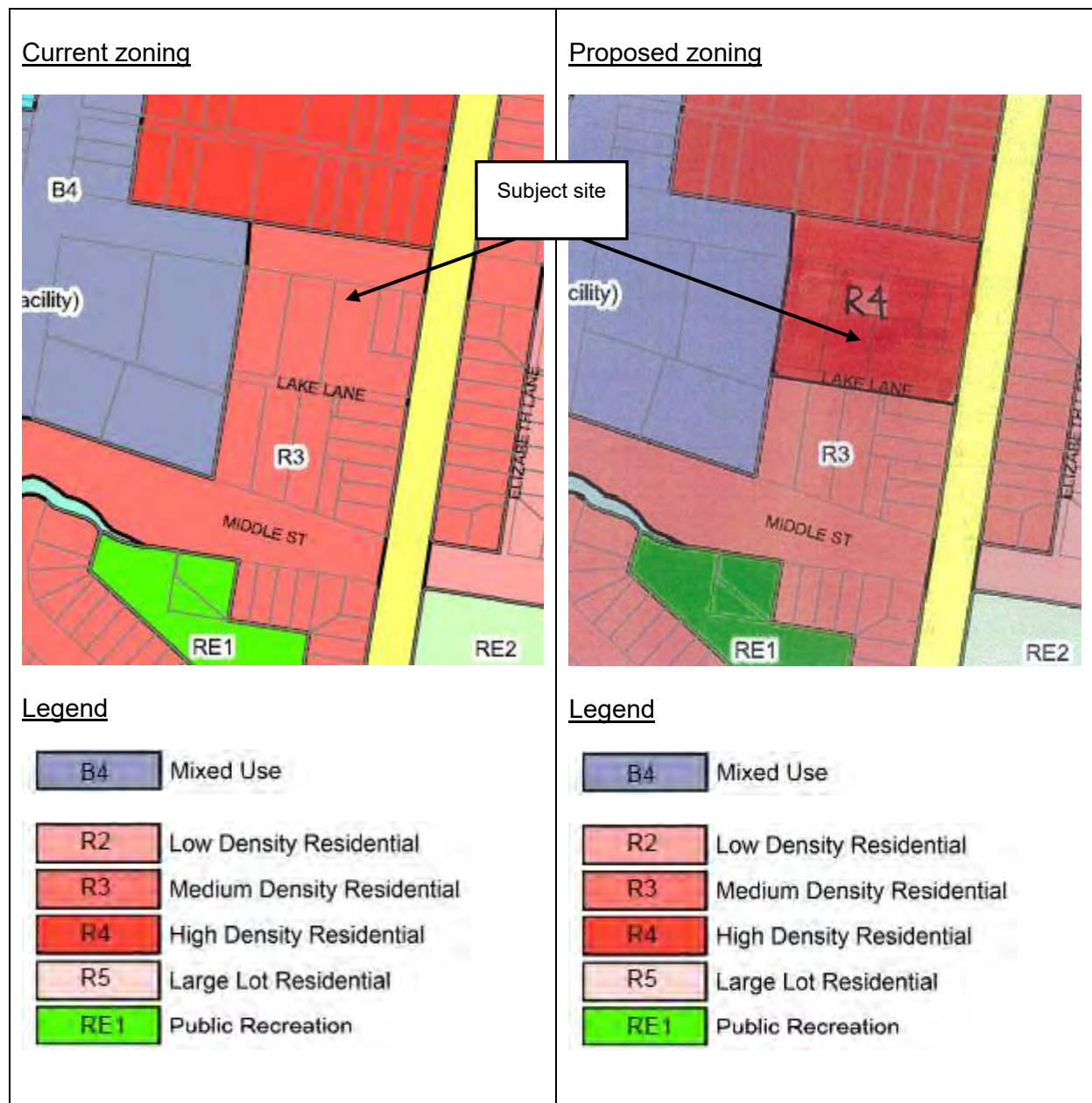


Figure 4 – Existing and proposed height of building control on the site



There are no changes required to the following GL LEP 2014 maps:

Land Application Map, Land Reservation Acquisition Map, Heritage Map, Acid Sulfate Soils Map, Flood Planning Map, Watercourse Map, Wetlands Map, Active Street Frontages Map, Coastal Risk Planning Map, Foreshore Building Lines Map, Drinking Water Catchment Map, Carmona Drive Development Map, Seven Mile Beach Development Map, Mineral Resource Area Map, Winda Woppa Coastal Development Map, Additional Uses Map, Protection of Wildlife Corridors Map, Dwelling Density Map.

It is proposed to remove Floor Space Ratio requirements over the subject site. This is consistent with recommendations in the Draft MidCoast Housing Strategy which proposes to remove the Floor Space requirements over all R4 High Density Residential land.

No changes are proposed to any clauses in GL LEP 2014.

Part 3 - Justification

(s.3.33(2)(c) Justification for the objectives or intended outcomes and the process for their implementation)

Section A – Need for the Planning Proposal

3.A.1 Question 1: Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. Relevant local strategic planning studies are discussed at Part 3 – Section B of this planning proposal.

3.A.2 Question 2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

GL LEP 2014 includes provisions under Clause 4.6 which would allow for variation of the height of building controls. There is no limitation on the degree to which these controls can be varied. Whilst it is possible to make a submission as to why the controls should be varied, the variations in some cases would be more than 50%. Given this, it is considered that alteration to the current controls is best pursued through the planning proposal process.

Section B – Relationship to Strategic Planning Framework

3.B.1 Question 3: Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The *Hunter Regional Plan 2036* is relevant to the Planning Proposal. The Planning Proposal is considered to be generally consistent with the objectives and actions contained within the *Hunter Regional Plan 2036*. A summary of the Planning Proposal's consistency is provided in **Appendix A**.

The Planning Proposal encourages compact settlement and the site does not encroach upon areas with high environmental values. The Planning Proposal will provide additional urban land to facilitate small-scale renewal in the right location, being immediately adjacent to the commercial and mixed-use zones of the Forster town centre.

In the absence of a Council adopted Forster-Tuncurry specific Urban Growth Management Strategy (UGMS), alternative adopted and draft local strategic studies are also relied upon to demonstrate the strategic merit of the proposal, as discussed below.

Assessment Criteria

a) Does the proposal have strategic merit? Will it:

- **Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or**

- Give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.

The planning proposal has strategic merit, giving effect to MidCoast Council's Draft Housing Strategy, (exhibited February - April 2020), the Urban Land Monitor, the Draft Employment Lands Strategy – Parts A and B (exhibited February - April 2020) and the Community Strategic Plan, all as discussed below.

Draft MidCoast Housing Strategy

A Draft MidCoast Housing Strategy has been developed and exhibited to support the consolidation of the Greater Taree, Great Lakes and Gloucester Local Environmental Plans into a single MidCoast LEP.

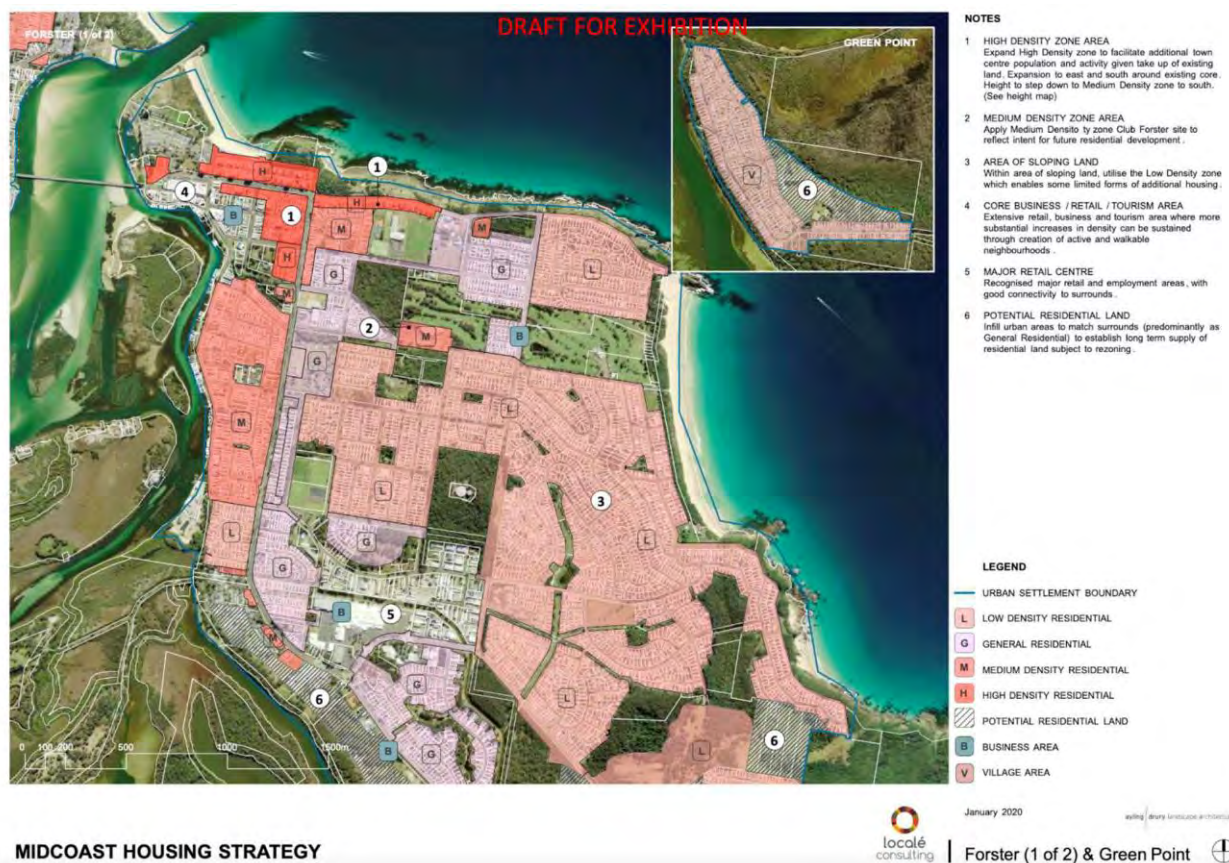


Figure 5: MidCoast Housing Strategy, Forster Plan Extract, Draft for Exhibition. The subject site identified as 'H', for High Density Residential Source: MidCoast Council

Council confirms in the Housing Strategy that findings from the Urban Land Monitor (as referenced below) have informed the following main directions for the Housing Strategy:

- Take into account the supply and demand projections of the ULM when rationalising residential zones.
- Examine potential for additional R4 High Density Residential zoned land in Forster to provide additional accommodation for residents, investors and tourists.

The Housing Strategy identified a high density residential zone for the subject site, as per in the exhibited zoning plan map extract above and related note that confirms:

“Expand High Density zone to facilitate additional town centre population and activity, given the take up of existing land.”

Urban Land Monitor 2016-2036

The Urban Land Monitor (ULM) produced by MidCoast Council dated October 2019 has been both internally and externally reviewed, including the NSW Department of Planning, Infrastructure and Environment in September 2019. The ULM has been useful to assist in determining the strategic merit of any Planning Proposal being considered for the MidCoast.

The Urban Land Monitor confirms that:

- The MidCoast population grew from 88,818 in 2011 to 91,958 in 2016, being an increase of 3,140 people and 0.69% cumulative growth rate.
- Forster-Tuncurry: the historic tourist hub, supported by coastal amenity and facilities, experienced above average growth for the area (1.05% in 2011 and 0.70% in 2001).
- Forster-Tuncurry could have approximately 4,000 more people than Taree in 2036.
- MidCoast has the second oldest median age (52yrs) in Australia and the oldest in NSW.

The population growth and age statistics are relevant to the provision of future residential dwellings, with an aging population requiring alternate higher density dwelling forms (that involve less maintenance), in CBD centric areas. Retirement living and tourism are expected to continue to create demand for higher density well located accommodation.

Overall, the report identifies that the entire MidCoast has adequate supply of residential zoned land to meet historic average growth rates until 2036. However, examining centres at a local level highlights development pressure is being experienced within coastal areas:

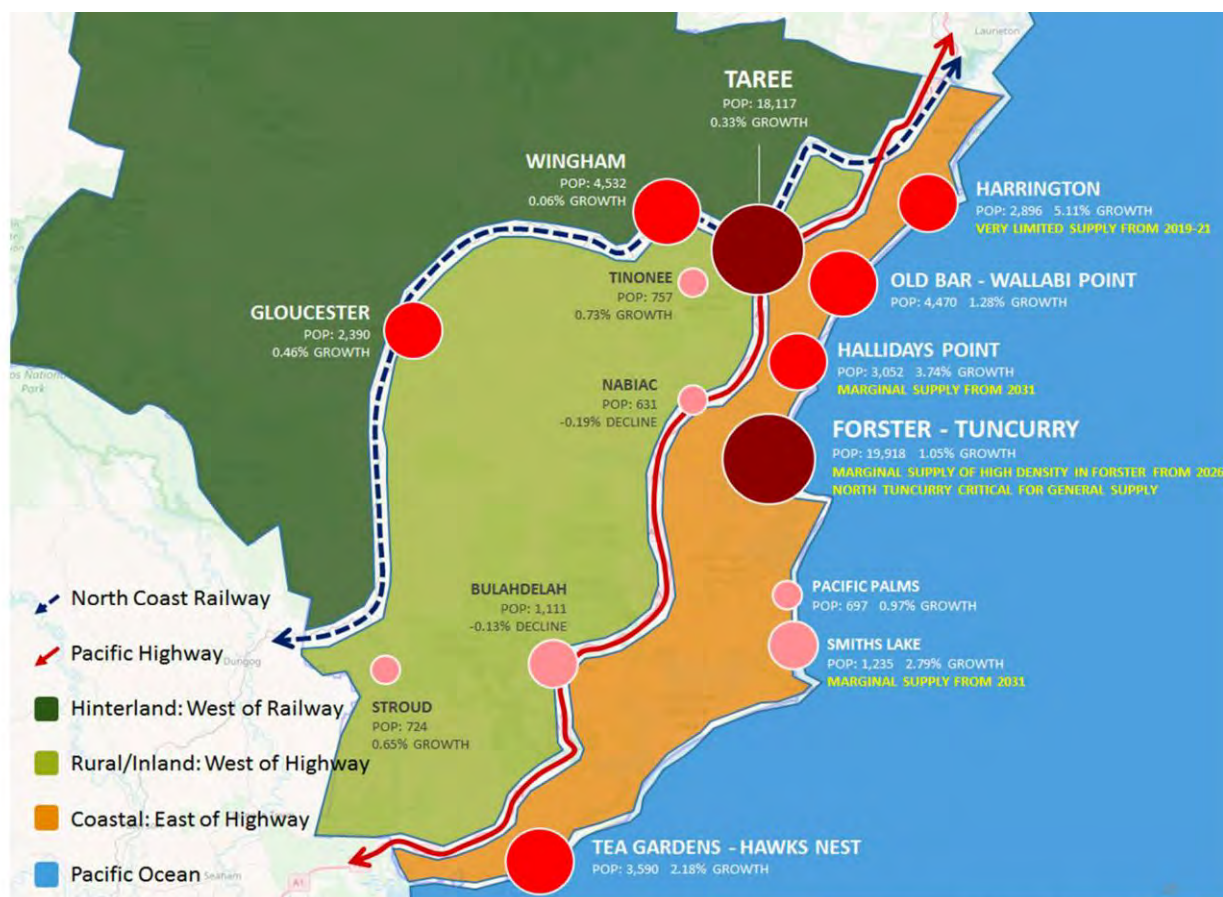
- Forster-Tuncurry currently has adequate residential supply, however this is critically dependent on the development of North Tuncurry (approximately 1,900 dwellings), as many future residential sites in Forster have ownership, contamination or other constraints.
- There is approximately 10 years of supply of R4 High Density Residential zoned land in Forster, which provides unit accommodation for residents, investors and tourists.
- A marginal supply of high density zoned land is identified post 2026.

Key findings of the Urban Land Monitor regarding the R4 High Density Residential zone in Forster, which caters for both the tourism market and permanent residents, are that:

“This zone has sufficient short term redevelopment supply but is constrained in the medium to long term. It is important to examine areas of potential future expansion and any factors that would support that growth.”

Analysis indicates that over the next 10 years (short term) there are potential redevelopment opportunities (for high density residential use). However, looking to the medium and long term, these opportunities will become increasingly limited and constrained.”

(MidCoast Urban Land Monitor, p.31 & 32)



Source: Population data from 2016 ABS census and annual cumulative growth rates calculated from 2011 and 2016 ABS

Figure 6: MidCoast Centres Supply and Demand Hot Spots to 2036 Source: Mid Coast Council, extract from Urban Land Monitor, October 2019

‘Know Your Zone’ Exhibited Planning Controls

Council’s ‘Know Your Zone’ Have Your Say, initiative and public exhibition, undertaken by Mid Coast Council from February 2020 – April 2020, identified a proposed high density zone change for the subject site, consistent with this Planning Proposal.

Council describes the online mapping exhibited from February 2020 as part of the 'Know Your Zone' initiative, as "a representation of the recommendations for new planning controls in our draft strategies and reviews, while the Fact Sheets provide easy-to-read explanations of some aspects of these documents".

MIDCOAST council

FACT SHEET
Prepared January 2020

HIGH DENSITY RESIDENTIAL

High density neighbourhoods form part of our major centres at Taree, Forster and Tuncurry, where you'll see apartments sitting alongside busy town centres and popular tourist or lifestyle destinations.

These neighbourhoods compliment the Taree and Forster/Tuncurry centres making them busy and vibrant, where residents and tourists have easy access to nearby services and facilities.

Housing is of a larger scale – they need larger sites and buildings can be up to 11 storeys, offering a variety of styles and designs to meet the needs of the community. This housing caters for different levels of affordability and lifestyles, for both residents and visitors.

The high-density zone is also home to motels, hotels, neighbourhood shops and restaurants and cafes. They often have large open spaces nearby and are pedestrian-friendly communities – reducing the need to drive your car every time you leave your home.

Typical development in this zone includes:

- serviced apartment buildings
- units in taller buildings
- services and uses to meet local and visitor needs

Planning controls for housing in this zone are:

- minimum lot size of 1,000m²
- building height limit of 18 – 33m, being up to 11 storeys or more

ZONING IN ON HOUSING

Our housing needs are as diverse as the people who make up the MidCoast community and will continue to change into the future.

We currently have three sets of planning controls – one for each of the three former regions – which can make planning inconsistent across the MidCoast.

That's why we're working to develop a MidCoast-wide plan.

The Housing Strategy proposes a new framework for housing in the MidCoast. Our aim is to offer a broad range of housing options to cater for our diverse needs - families, our ageing population, tourists and everyone in between... all the while delivering housing that is affordable.

Know your zone... for more information visit midcoast.nsw.gov.au/zoningin

Photo 5: Know Your Zone - High Density Residential Fact Sheet –February 2020
Source: Mid Coast Council

Draft Employment Zones Review

A Draft Employment Zones Review - Part A and B (EZR) was prepared by MidCoast Council and was exhibited from February to April 2020.

The EZR Part A states that the review aim is to support the creation of vibrant community centres and prosperous employment areas through the use of clear, simple and consistent rules. The EZR identified Forster-Tuncurry as important regional strategic centre within the LGA.

The review recommends the removal of all minimum lot sizes for all sites except the B5 zone and removal of all floor space ratio requirements. The review further recommends that new height of building controls are required to be specified on a site by site basis and that active street frontage local provisions be adopted for all B1 Neighbourhood Centre, B2 Local Centre and B3 Commercial Core zones.

It is anticipated by Council that key recommendations from the review will ultimately inform a new consolidated MidCoast LEP.

The review does not contain any particular provisions for the Lake Street Planning Proposal, but confirms Council's intent to pursue further activation of the established Forster CBD, which is in close proximity to the subject site, including rezoning of the adjacent Civic Precinct site to B4 Mixed Use.

Mid Coast 2030 Community Strategic Plan

The Mid Coast 2030 Community Strategic Plan (CSP) is a roadmap for the future of Mid Coast. In the development of this Plan, other key government plans and legislative frameworks were considered, in particular NSW State Plan, the *Hunter Regional Plan*, the *Local Government Act 1993* and the Integrated Planning and Reporting Guidelines, to ensure that there is alignment and the community is working towards a shared vision.

The Vision of the CSP is:

"We aspire to be a place of unique environmental significance where our quality of life and sense of community is balanced by sustainable and sensitive development, which fosters economic growth"

The most relevant values of the CSP are:

We balance the needs of our natural and built environments

- Ensure growth and new development complements our existing natural assets and heritage sites.
- Optimise land use to meet our environmental, social and development needs.

The new development opportunities that will be created by the implementation of the planning proposal will complement the Forster CBD and will optimise land use within the walkable catchment of the town centre.

A region that is a popular place to visit, live, work and invest.

- Develop and promote our region as an attractive visitor destination offering a broad range of experiences for visitors and residents.
- Provide an environment to attract, grow and strengthen local businesses.

The new development opportunities that will be created by the implementation of the Planning Proposal will continue to make Forster an attractive place to live and visit. Additional people with the CBD will enable the strengthening of local businesses.

Overall, this Planning Proposal is consistent with the values of the CSP.

b) Does the proposal have site-specific merit, having regard to the following?

- **The natural environment (including known significant environmental values, resources or hazards) and**
- **The existing uses, approved uses and likely future uses of land in the vicinity of the proposal and**

- **The services and infrastructure that are of will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision**

The subject proposal has strong site specific merit, being an existing brownfield site in immediate proximity of the Forster CBD and adjacent to a Civic Precinct development currently under construction. The new Civic Precinct development includes a new public library, customer service centre, visitor information centre, community indoor and outdoor spaces (including community gardens) and associated parking.

Additionally, Councils draft Housing Strategy and Community Strategic Plan and related statistical analysis, all as referenced, supports creation of additional high density zoned land in well located areas.

Lake Lane forms part of the planning proposal site area. The Urban Design Analysis at **Appendix D** assumes that Lake Lane will form part of the future development of the site. As Council does not usually rezone land based around particular development scenarios, whilst Council will include Lake Lane in the subject rezoning, no assumptions are to be made that Lake Lane will form part of any future development footprint or setback.

Any decision regarding Lake Lane will be subject to a separate approval process and formal agreement from Council. It is possible that Lake Lane may be best retained in public ownership to provide a viable public pedestrian and vehicle access to the subject site and to the adjacent Civic Precinct development site and through connection to Macintosh Street.

3.B.2 Question 4: Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Refer to detailed analysis under Section 3.B.1 confirming MidCoast Council's adopted and draft exhibited local strategic studies and that are relied upon in the planning proposal to demonstrate the strategic merit of the proposal.

3.B.3 Question 5: Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

A summary and discussion of the Planning Proposal's consistency with applicable State Environmental Planning Policies is provided in **Appendix B** of this Planning Proposal.

SEPP (Coastal Management) 2018 applies to the site and the site is wholly contained in the coastal environment area identified within this SEPP.

Overall it is considered that the Planning Proposal is not inconsistent with any of the relevant State Environmental Planning Policies.

3.B.4 Question 6: Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The Planning proposal is consistent with all relevant s9.1 Directions. Further consideration of relevant Directions is provided below and in **Appendix C**.

2.2 Coastal Protection

The site is identified as wholly within the Coastal Environment Area as mapped within SEPP (Coastal Management) 2018 and a small portion of site is within the Coastal Use Area as mapped within SEPP (Coastal Management) 2018. However, the site is not identified within a coastal vulnerability area identified by SEPP (Coastal Management) 2018.

This Direction requires a Planning Proposal not to rezone land for increased development within a coastal vulnerability area. The Planning Proposal is consistent with this direction as the site is not within a coastal vulnerability area identified by SEPP (Coastal Management) 2018.

2.3 Heritage Conservation

The Planning Proposal is consistent with this direction as the existing GL LEP 2014 contains terms to facilitate conservation – that is, it contains the compulsory clause within the Standard Instrument (Local Environmental Plans) Order 2006. The site is wholly developed as tourist accommodation and a service station. However, an Aboriginal due diligence assessment will be required through the development application process.

3.1 Residential Zones

The Planning Proposal is consistent with this Direction. The R4 High Density Residential zone will broaden the choice of building types available in the Forster CBD, make more efficient use of existing infrastructure and services and potentially reduce the consumption of land for housing on the urban fringes of Forster and Tuncurry. Design of future dwellings will be guided by NSW Government policies seeking good and site responsive design.

4.1 Acid Sulfate Soils

The site is classified as Acid Sulfate Class 4 which requires consideration of Acid Sulfate Soils for works beyond 2m below natural ground level. The site is developed and the Planning proposal will allow increased development. Potential impact on Acid Sulfate Soils will be investigated as part of geotechnical studies associated with future Development Applications. On this basis the Planning Proposal maybe inconsistent with this direction but the inconsistency is of a minor significance.

5.10 Implementation of Regional Plans

The Planning Proposal is consistent with this Direction as it is consistent with the actions contained within the *Hunter Regional Plan 2036*. The Planning Proposal will contribute to an increase in housing choice in the Forster CBD.

Section C – Environmental, Social and Economic Impact

3.C.1 Question 7: 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 site, except for Lake Lane (which is a mown laneway), is developed and hence highly disturbed. The site does not contain significant areas of native vegetation communities or other significant features.

The Planning Proposal is not likely to impact on critical habitat, threatened species, populations or ecological communities.

3.C.2 Question 8: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The site is developed and does not contain natural environmental features. The Planning Proposal provides for a change in zoning, increased building height and increased floor space ratio. The impacts of the changes are limited to the existing and future built environment.

These impacts have been examined in detail within the UDAR provided in **Appendix D** which includes detailed examination of landscape and built form, view analysis, overshadowing and other urban design matters.

No change to land use is proposed as part of this Planning Proposal. A Phase 1 Preliminary Contamination investigation will be provided post Gateway should the Gateway Determination specify.

3.C.3 Question 9: Has the Planning Proposal adequately addressed any social and economic effects?

In the 2016 Census, there were 13,740 people in Forster (NSW) (State Suburbs). Of these 47.4% were male and 52.6% were female. Aboriginal and/or Torres Strait Islander people made up 5.8% of the population.

The median age of people in Forster was 54 years. Children aged 0 - 14 years made up 14.1% of the population and people aged 65 years and over made up 35.4% of the population

There were 4,755 people who reported being in the labour force in the week before Census night in Forster. Of these 46.1% were employed full time, 39.5% were employed part-time and 7.9% were unemployed.

Of occupied private dwellings in Forster, 66.8% were separate houses, 17.3% were semi-detached, row or terrace houses, townhouses and the like, 13.2% were flat or apartments and 1.8% were other dwellings.

The Planning Proposal will enable an increase in flats/units and apartment type dwellings for families/persons looking to down size in an accessible location.

Section D – State and Commonwealth Interests

3.D.1 Question 10: Is there adequate public infrastructure for the Planning Proposal?

There are no public infrastructure implications with the Planning Proposal. Brief discussions have been held with Council's Water Services Division in relation to water and sewer capacity in the area to deal with increased development from the site. It was determined that there is suitable capacity in the water and sewer systems for the area to cater for the requirements for the site post rezoning.

A 2.5m shared path will be located on the opposite side of the road to the Planning Proposal site and will link with the proposed L2O Trail.

Lake Lane or part of the lane may be required to provide connectivity to Macintosh Street but all such through block pedestrian access details will be identified and discussed with the proponent at the Development Application stage.

3.D.2 Question 11: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Council will undertake consultation with the relevant government agencies once a Gateway Determination has been provided.

Part 4 - Mapping

(s.3.33(2)(d) Maps to be adopted by the proposed instrument)

The proposed amendment to allow for a change in zoning, height and floor space ratio controls for the subject land will require amendments to certain tiles on existing map layers as outlined below.

Additional amendments may be identified as the proposal progresses through public exhibition and subsequent stages in the timeline. Should this occur, the planning proposal will be amended and the subsequent amendment to GL LEP 2014 revised to reflect this.

Council will prepare mapping associated with the proposed amendments in accordance with the *Standard Technical Requirements for LEP Maps* for the amended LEP document as follows:

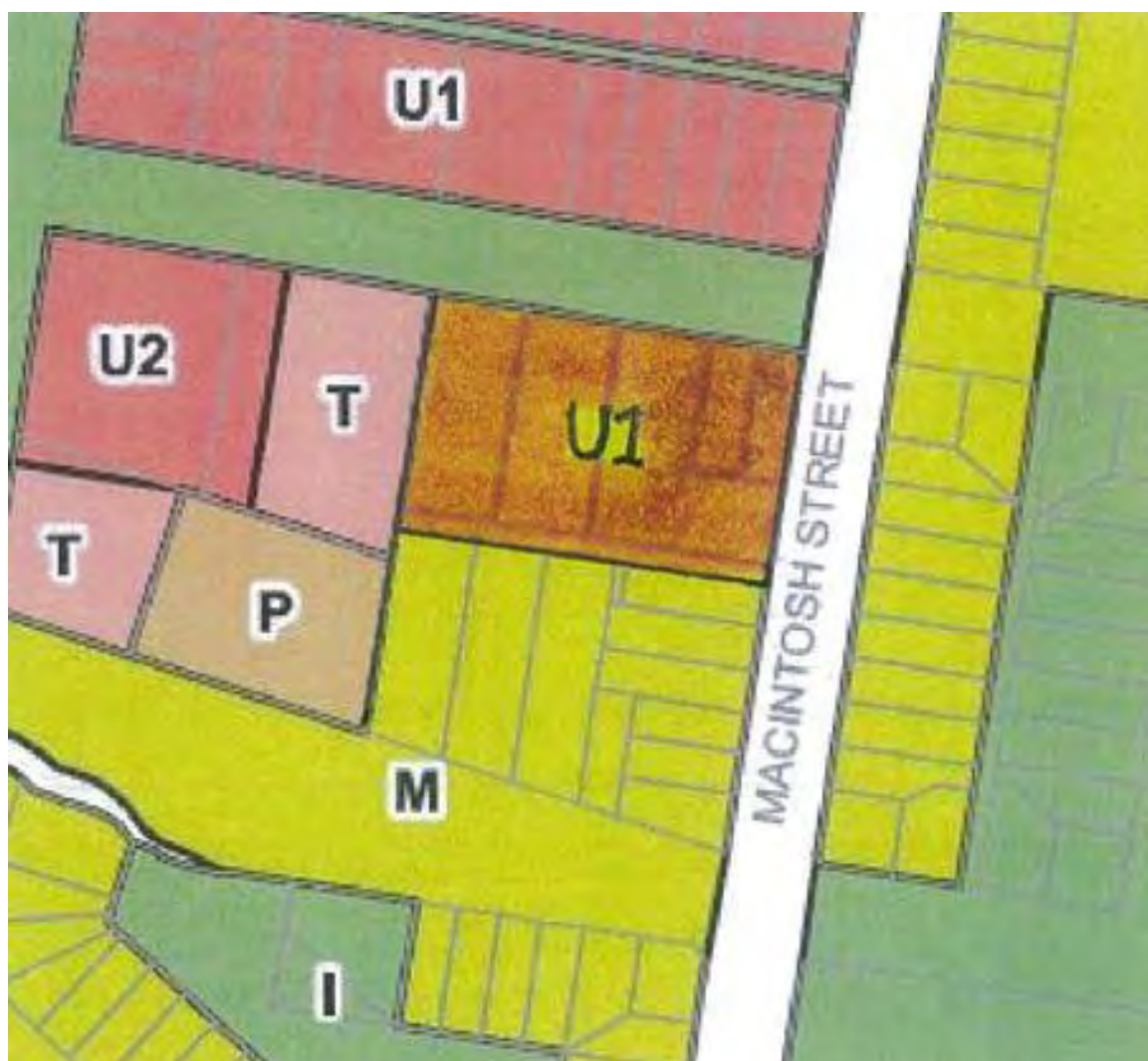
1. The Land Zoning (LZN) Map – Sheet LZN_011D, as it affects the subject land would be amended by changing the zone from R3 Medium Density Residential to R4 High Density Residential



I.

R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
R5	Large Lot Residential
RE1	Public Recreation
B4	Mixed Use

2. The Height of Buildings (HOB) Map – Sheet HOB_011D, as it affects the subject land would be amended by changing the maximum building height from 12 metres to 30 metres.



M	12
N	13
P	18
Q	20
R	21
S	24
T	26
U1	30

3. The Floor Space Ratio (FSR) Map – Sheet FSR_011D as it affects the subject land would be amended by changing the maximum floor space ratio from 1 to no longer applying to the land.

Part 5 - Community consultation

(s.3.33(2)(e) details of community consultation)

If a favourable Gateway Determination is granted, subject to any completion of any matters as required beforehand, the Planning Proposal will be placed on public exhibition. The Planning Proposal will be notified to the public by way of:

- Notice in the local newspaper (2 notifications anticipated);
- Publishing on Council's website during the exhibition period (Have Your Say);
- Exhibition material and relevant consultation documents to be made available at Council's Forster Administration Building and Forster Library; and
- Consultation documents made available on Council's website; and
- Letters advising of the Planning Proposal and how to submit comments will be sent to landowners within the subject land, adjoining landowners and other stakeholders that Council deem relevant to the matter.

During the exhibition period the following material will be available for inspection:

- The Planning Proposal;
- The Gateway Determination; and
- Any supporting specialist studies/strategies/plans.

It is not anticipated nor intended that a public hearing will be held.

At the close of the consultation process, Council officers will assess all submissions received and present a report to Council for their endorsement before proceeding to finalise the Planning Proposal. This process may require additional assessment of issues and results, studies and the like associated with the additional assessment will be attached to the final Planning Proposal presented to Council. If no objections are received, Council's standard process is not to report the Planning Proposal again to Council but to instead seek that the LEP amendment be made.

The consultation process as outlined above does not prevent any additional consultation measures that may be determined appropriate as part of the Gateway Determination process.

Part 6 - Project timeline

In accordance with the Department of Planning Industry and Environments guidelines, the following timeline is provided, which includes the tasks deemed necessary for the making of this local environmental plan.

Task	Responsibility	Timeframe	Date (approximate)
Council resolution to support the Planning Proposal	Council	2 months	March-April 2020
Lodgement of Planning Proposal for Gateway Determination	Council	1 week	April 2020
Gateway Determination Issued	Minister for Planning	1 month	May 2020
Consultation with Public Authorities in accordance with Gateway Determination	Council	Minimum 21 days	June 2020
Update of Planning Proposal to include results of agency consultation	Council	1 week	August 2020
Public exhibition of Planning Proposal	Council	Minimum 28 working days	August-September 2020
Report to Council (if objections received)	Council	2 months	October-November 2020
Lodgement of Planning Proposal (with any amendments as a result of submissions) with DPIE	Council	2 weeks	November-December 2020
Making of local environmental plan	Minister for Planning	6 – 8 weeks	January-February 2021

5. Conclusion

The primary aim of the Lake Street Planning Proposal is to amend the existing development standard maps of GL LEP 2014 to enable a change in zoning, to permit an increase in maximum height of buildings and remove the floor space ratio.

The Planning Proposal is considered to have strategic merit as it delivers positive outcomes for the Forster Town Centre as documented in the Urban Design Analysis Report and is also consistent with Councils Strategic Priorities for Forster.

The Planning Proposal is consistent with the State and local strategic planning framework and will provide additional accommodation (permanent and tourist) in a highly accessible location. Future development will reinforce connections with the town centre and the soon-to-be completed Civic Precinct.

Appendix A – Consistency with Hunter Regional Plan Goals, Directions & Actions

Note: Actions highlighted yellow specifically identify MidCoast Council (MCC) issues. DPIE have advised that only those Actions that are relevant to the Planning Proposal are required to be documented within the table.

Goal 1 – the leading regional economy in Australia	
Direction 4 – Enhance inter-regional linkages to support economic growth	
Action 4.6 Investigate opportunities for logistics and freight growth and other complementary land uses around airports, leveraging investments at Taree and Newcastle airports.	Whilst this action refers to an area within MCC LGA it is not relevant to the Planning Proposal area.
Direction 6 – Grow the economy of MidCoast and Port Stephens	
Action 6.1 Enhance tourism infrastructure and connectivity, recognising the importance of: <ul style="list-style-type: none"> regional and inter-regional connections via the Pacific Highway and the Newcastle and Taree airports and cruise ship gateways; and local routes such as The Lakes Way and Nelson Bay Road. 	The Planning Proposal effectively leverages the inter-regional connections provided by the Pacific Highway to attract investment and residents from Newcastle, Sydney and beyond.
Action 6.2 Enhance links to regional services in Greater Newcastle.	Whilst this action refers to an area within MCC LGA it is not relevant to the Planning Proposal area.
Action 6.3 Enable economic diversity and new tourism opportunities that focus on reducing the impacts of the seasonal nature of tourism and its effect on local economies.	The site currently provides tourist accommodation. The Planning Proposal will allow the continuation of tourism but will also allow a greater variety of dwelling types and greater population density that could reduce the impact of the seasonal nature of tourism.
Action 6.4 Promote growth of industries that can leverage accessibility provided by the Pacific Highway.	Whilst this action refers to an area within MCC LGA it is not relevant to the Planning Proposal area.
Action 6.5 Plan for and provide infrastructure and facilities that support the ageing population.	<p>The site is in a superior location with excellent access to services and facilities. Seniors Housing is permissible under the SEPP under the current zone as the land is zoned primarily for urban purposes.</p> <p>Existing infrastructure and facilities that support the ageing population will be expanded in accordance with Council requirements.</p>

Direction 8 – Promote innovative small business and growth in the service sectors

Action 8.5 Establish a health precinct around Metford and other hospitals in the region, including Manning Base Hospital at Taree.

Whilst this action refers to an area within MCC LGA it is not relevant to the Planning Proposal area.

Direction 9 – Grow tourism in the region

Action 9.1 Enable investment in infrastructure to expand the tourism industry, including connections to tourism gateways and attractions.

Whilst this action refers to an issue relevant to MCC LGA it is not relevant to the Planning Proposal area.

Action 9.2 Encourage tourism development in natural areas that support conservation outcomes.

The site currently provides tourist accommodation however is relatively well removed from natural areas.

Action 9.5 Develop capacity for growth in food-based tourism in the region.

Whilst this action refers to an issue relevant to MCC LGA it is not relevant to the Planning Proposal area.

Direction 13 – Plan for greater land use compatibility

Action 13.1 Identify and protect important agricultural land, including intensive agriculture clusters, in local plans to avoid land use conflicts, particularly associated with residential expansion.

The site is not in the vicinity of an intensive agriculture cluster.

Action 13.2 Limit urban and rural housing encroachment into identified agricultural and extractive resource areas, industrial areas, and transport infrastructure when preparing local strategies.

See above.

Goal 2 – A biodiversity-rich natural environment

Direction 14 – Protect and connect natural areas

Action 14.1 Identify terrestrial and aquatic biodiversity values and protect areas of high environmental value to sustain the lifestyle, economic success and environmental health of the region.

The site is highly disturbed being developed and occupied as tourist accommodation and a service station.

Action 14.2 Identify and strengthen biodiversity corridors as places for priority biodiversity offsets.

See above.

Action 14.3 Improve the quality of, and access to, information relating to high environmental values.

See above.

Action 14.4 Protect biodiversity by maintaining and, where possible, enhancing existing protection of high environmental value areas; implementing appropriate measures to conserve validated high environmental value areas; developing local strategies to avoid and minimise the impacts of development on areas of high environmental value and biodiversity corridors; and identifying offsets or other mitigation measures for unavoidable impacts.	See above.
Action 14.5 Secure the long term protection of regionally significant biodiversity corridors.	See above.
Direction 15: Sustain water quality and security	
Action 15.1 Protect water catchments to sustain high quality and dependable water supplies across the region.	Not relevant.
Action 15.2 Effectively manage surface and groundwater use in agricultural areas to support ecosystem function, food production, and to cater for the increasing demand of urban communities and industry.	Not relevant.
Action 15.3 Plan for the security of the region's town water supply.	Not relevant.
Action 15.4 Implement catchment-based plans for the ongoing sustainable management and health of estuaries.	Not relevant.
Action 15.5 Apply the neutral or beneficial water quality objectives to land use planning in surface and groundwater drinking water catchment areas to minimise the effects of development on waterways, including watercourses, wetlands, groundwater dependent ecosystems, riparian lands, estuaries, lakes, beaches and marine waters.	Not relevant.
Action 15.6 Reduce the risk of introduction or spread of aquatic pests and diseases from new development that may affect fisheries and aquaculture industry practices.	Not relevant.
Action 15.7 Incorporate water-sensitive design into development that is likely to have an adverse impact on coastal water catchments, water quality and flows.	Future development applications will investigate geotechnical conditions and management plans for stormwater will be based upon water sensitive urban design principles.
Direction 16: Increase resilience to hazards and climate change	
Action 16.1 Manage the risks of climate change and improve the region's resilience to	The site is not identified within the Flood Planning Area map (11D) of GL LEP 2014 and is unlikely to

flooding, sea level rise, bushfire, mine subsidence and land contamination.	be impacted upon by sea level rise (the site is 4-5m AHD). The site is not identified as bushfire prone land, is not affected by mine subsidence and is not identified contaminated land.
Action 16.2 Review and consistently update floodplain risk and coastal zone management plans, particularly where urban growth is being investigated.	Not relevant.
Action 16.3 Incorporate new knowledge on regional climate projections and related cumulative impacts in local plans for new urban development.	Not relevant.
Action 16.4 Review and update the Newcastle Mines Grouting Fund and investigate its relevance to other areas.	Not relevant.
Goal 3 – Thriving communities	
Direction 17: Create healthy built environments through good design	
Action 17.1 Develop best-practice guidelines for planning, designing and developing healthy built environments.	Future development will be designed to comply with SEPP 65 and hence will provide good design.
Action 17.2 Enhance access to fresh food by promoting initiatives that increase urban food production and access to produce from local farmers.	Not relevant.
Action 17.3 Enhance the quality of neighbourhoods by integrating recreational walking and cycling networks into the design of new communities to encourage physical activity.	Not relevant.
Direction 18: Enhance access to recreational facilities and connect open space	
Action 18.1 Facilitate more recreational walking and cycling paths including planning for the Richmond Vale Rail Trail and expanded inter-regional and intra-regional walking and cycling links, including the NSW Coastal Cycleway.	Not relevant.
Action 18.2 Deliver connected biodiversity-rich corridors and open space areas for community enjoyment.	Whilst this action refers to an issue relevant to MCC LGA it is not relevant to the Planning Proposal area.
Action 18.3 Enhance public access to natural areas, including coastal and lake foreshores.	Public access to the coastal and lake foreshores will be available to new residents and users of the site.
Action 18.4 Assist councils to develop open	Not relevant.

space and recreation strategies that identify a range of accessible open space and recreation opportunities; integrate open space, active transport and recreation networks; and improve public foreshore access.	
Action 18.5 Implement actions and invest in boating infrastructure priorities identified in regional boating plans to improve boating safety, boat storage and waterway access.	Not relevant.
Direction 19 – Identify and protect the region’s heritage	
Action 19.1 Consult with the local Aboriginal communities to identify and protect heritage values to minimise the impact of urban growth and development, and to recognise their contribution to the character and landscape of the region.	To be consistent with the requirements of this action, the <i>National Parks and Wildlife Act 1974</i> (NPW Act) and the EP&A Act any future DA will include an Aboriginal Heritage Due Diligence Assessment.
Action 19.2 Assist the preparation of appropriate heritage studies to inform the development of strategic plans, including regional Aboriginal cultural heritage studies.	Not relevant.
Direction 20: Revitalise existing communities	
Action 20.1 Accelerate urban revitalisation by directing social infrastructure where there is growth.	The Planning Proposal will provide additional housing options within the Forster community, which will facilitate more permanent residents which will in turn support the existing local businesses and community organisations. This will help support the commercial businesses during the low season and assist in establishing social infrastructure to be utilised by the broader community.
Action 20.2 Undertake planning and place-making for main streets and centres.	Not relevant.
Action 20.3 Enhance the amenity and attractiveness of existing places.	The proposed development, subject of future development applications, will be of a high-quality design and enhance the amenity and attractiveness of the area.
Goal 4 – Greater housing choice and jobs	
Direction 21: Create a compact settlement	
Action 21.1 Promote development that respects the landscape attributes and the character of the metropolitan area, towns and villages.	The site is currently zoned R3 Medium Density Residential and is immediately opposite land zoned R4 High Density Residential. Landscape attributes will be considered in detail in future designs and DAs.
Action 21.2 Focus development to create compact settlements in locations with	The site is identified in an endorsed regional strategy, namely the <i>Mid North Coast Regional</i>

established services and infrastructure, including the Maitland Corridor growth area; Newcastle–Lake Macquarie Western Corridor growth area; the emerging growth area around Cooranbong, Morriset and Wyee; and in existing towns and villages, and sites identified in an endorsed regional or local strategy.	<i>Strategy 2009</i> . Specifically the site (Forster) is identified as a Major Town and growth area.
Action 21.4 Create a well-planned, functional and compact settlement pattern that responds to settlement planning principles and does not encroach on sensitive land uses, including land subject to hazards, on drinking water catchments or on areas with high environmental values.	The Planning Proposal encourages compact settlement and the site does not encroach upon areas with high environmental values.
Action 21.5 Promote small-scale renewal in existing urban areas, in consultation with the community and industry to ensure that this occurs in the right locations.	The Planning Proposal will promote small-scale renewal in the right location, being immediately adjacent to the commercial and mixed use zones of the Forster town centre.
Action 21.6 Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield housing locations.	Greater housing choice will be provided by the Planning Proposal. Whilst Forster has a sizeable population of 65 years or older it will provide the opportunity for dwellings suitable for other demographics.
Action 21.7 Promote new housing opportunities in urban areas to maximise the use of existing infrastructure	The Planning Proposal will promote new housing in an existing urban area and will maximise use of existing infrastructure.
Direction 22: Promote housing diversity	
Action 22.1 Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.	The proposed development could provide units that service a wide demographic; including permanent residents, holidaymakers and seniors. This promotes greater housing diversity in the area and housing suitable for ageing in place for seniors which is a key demographic in the local area.
Action 22.2 Encourage housing diversity including studio and one and two-bedroom dwellings, to match forecast changes in household sizes.	The Planning Proposal will provide an opportunity for a range of housing types including tourist accommodation and seniors housing.
Action 22.3 Develop local housing strategies to respond to housing needs, including social and affordable housing, and support initiatives to increase the supply of affordable housing.	Not relevant.
Action 22.4 Develop Settlement Planning Principles and a local planning toolkit to assist councils in implementing the Plan.	Not relevant.

<p>Action 22.5 Include guidance in local land use strategies for expanding rural villages and rural-residential development so that future rural residential development will:</p> <ul style="list-style-type: none"> • not impact on strategic or important agricultural land, energy, mineral or extractive resource viability or biodiversity values; • not impact on drinking water catchments; • not result in greater natural hazard risk; • occur on land that is unlikely to be needed for urban development; • contribute to the conservation of important biodiversity values or the establishment of important corridor linkages; and • facilitate expansion of existing and new tourism development activities in agricultural or resource lands and related industries across the region. 	Not relevant.
<p>Direction 23 – Grow centres and renewal corridors</p>	
<p>Action 23.1 Concentrate growth in strategic centres, local centres and urban renewal corridors to support economic and population growth and a mix of uses.</p>	<p>The site is within the Forster town centre immediately adjacent to commercial and mixed use zones and the Planning Proposal will support economic and population growth.</p>
<p>Action 23.2 Develop precinct plans for centres to take an integrated approach to transport, open space, urban form and liveable neighbourhoods, and investigate the capacity of centres to accommodate additional housing and diversity, without compromising employment growth.</p>	Not relevant.
<p>Action 23.3. Consider improvements to the public transport network when planning new renewal corridors and precincts.</p>	Not relevant.
<p>Action 23.4 Investigate locations for new and expanded centres, including within the Newcastle – Lake Macquarie Western Corridor and Maitland Corridor growth areas, and in the established urban areas that are projected to have high demand for housing growth is projected.</p>	Not relevant.
<p>Action 23.5 Focus commercial and retail</p>	Not relevant.

development within existing centres and transport hubs and ensure that locations for new centres are integrated with existing or planned residential development; do not undermine existing centres; encompass high quality urban design; and consider transport and access requirements.	
Direction 26 – Deliver infrastructure to support growth and communities	
Action 26.1 Align land use and infrastructure planning to maximise the use and capacity of existing infrastructure and the efficiency of new infrastructure.	The site is located within Forster and will utilise a range of existing infrastructure which preliminary reviews show to have capacity, with augmentation or upgrade where necessary.
Action 26.2 Enable the delivery of health facilities, education, emergency services, energy production and supply, water and waste water, waste disposal areas, cemeteries and crematoria, in partnership with the infrastructure providers.	Not relevant.
Action 26.3 Protect existing and planned major infrastructure corridors and sites, including inter-regional transport routes like the M1 Pacific Motorway and the railway, port and airport, to support their intended function.	Not relevant.
Action 26.4 Coordinate the delivery of infrastructure to support the timely and efficient release of land for development, including working with councils and service providers on inter-regional infrastructure and service delivery issues between growing areas.	Not relevant.
Action 26.5 Ensure growth is serviced by enabling and supporting infrastructure.	The site is expected to be serviceable with all relevant infrastructure and services pending augmentation and upgrades that may be reasonably expected moving forward to detailed design.
Action 26.6 Review and finalise the Hunter Special Infrastructure Contributions Plan.	Not relevant.
Direction 27: Strengthen the economic self-determination of Aboriginal communities	
Action 27.1 Work with the Purfleet–Taree, Forster, Karuah, Worimi, Mindaribba, Awabakal, Bahtabah, Biraban and Wanaruah Local Aboriginal Land Councils to identify priority sites that can create a pipeline of potential Initiatives.	Not relevant.

<p>Action 27.2 Identify landholdings and map the level of constraint at a strategic scale for each site to develop options for the potential commercial use of the land.</p>	<p>Not relevant.</p>
<p>MidCoast Regional Priorities</p> <p>Provide housing, services and facilities, as well as accessible public spaces for an ageing population</p>	<p>The Planning Proposal will provide an opportunity for increased housing choice.</p>
<p>MidCoast Priorities for Strategic Centres</p> <p>Manage the role of tourism and accommodation</p>	<p>The Planning Proposal will enable future tourism and housing accommodation opportunities.</p>
<p>MidCoast Priorities for Housing</p> <p>Investigate renewal and infill housing opportunities for Taree, Forster-Tuncurry, Old Bar and Tea Gardens-Hawks Nest that respond to changing demographics.</p>	<p>The Planning Proposal is consistent with this objective and presents an ideal infill housing opportunity.</p>

Appendix B – Consistency with State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Issue 1
SEPP No 1—Development Standards	Not applicable (N/A). Clause 4.6 of template LEP rather than SEPP 1 will apply.
SEPP No 19—Bushland in Urban Areas	N/A. This SEPP does not apply to the Mid-Coast local government area.
SEPP No 21—Caravan Parks	N/A. Development consent is not being sought for a caravan park
SEPP No 30—Intensive Agriculture	N/A. The proposal does not involve a cattle feedlot or piggery and the provisions of this SEPP are not relevant to the proposal.
SEPP No 33—Hazardous and Offensive Development	N/A. The proposal does not involve an offensive or hazardous industry or facility and the provisions of the SEPP are not relevant to this proposal.
SEPP No 36—Manufactured Home Estates	N/A. The proponent has identified a desire to develop the site for the purposes of residential flat buildings, as such the proposal does not involve a manufactured home estate and the provisions of the SEPP are not relevant to this proposal.
SEPP No 44—Koala Habitat Protection	The site is less than 1 hectare and the provisions of the SEPP are not relevant to this proposal.
SEPP No 47—Moore Park Showground	N/A. The site is not located in the applicable area.
SEPP No 50—Canal Estate Development	N/A. The proposal does not involve a canal estate development consistent with the provisions of the Policy to prohibit canal estate development.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	N/A. The site is not located in the applicable area.
SEPP No 55—Remediation of Land	No change to land use is proposed. A Phase 1 Investigation will be provided post Gateway should the Minister require.
SEPP No 62—Sustainable Aquaculture	N/A. The proposal does not involve aquaculture and is highly unlikely to impact on oyster aquaculture in the broader locality.
SEPP No 64—Advertising and Signage	N/A. Signage may be associated with the final development and the provisions of the SEPP will be considered in detail if and when a development application involving signage is lodged.
SEPP No 65—Design Quality of Residential Apartment Development	<p>The planning proposal does not relate to a specific development proposal and is not a development application. It is however noted that SEPP 65 and the Apartment Design Guide (ADG) are required to be considered during the assessment of any future development on the site that includes three or more storeys and four or more dwellings.</p> <p>The Design Criteria with the ADG can be readily achieved at any</p>

State Environmental Planning Policy (SEPP)	Issue 1
	future development application stage and the separation distances and solar access principles have been considered in the conceptual design reflected in the Urban Design Analysis Report at Appendix D.
SEPP No 70—Affordable Housing (Revised Schemes)	N/A. The site is not located in the applicable area.
SEPP (Affordable Rental Housing) 2009	N/A. The proposal is not for affordable housing or being proposed by an affordable housing provider.
SEPP (Building Sustainability Index: BASIX) 2004	N/A. Any subsequent development application will need to be comply with BASIX requirements.
SEPP (Coastal Management) 2018	<p>The land is wholly contained in the coastal environment area as defined by the Coastal Environment Area Map. CI 13 stipulates that development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on a range of matters. These matters are ones to be addressed at the development application stage and will not be affected by this planning proposal. Section 9.1 Ministerial Direction 2.2 provides requirements for Planning Proposals within a Coastal Environment Area – refer to Appendix C - Consistency with 9.1 Ministerial Directions.</p> <p>The site is not contained in the Coastal Use Area Map except for a small area (northern area) of Lot 1 DP 863309. CI 14 stipulates that development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on a range of matters. These matters are ones to be addressed at the development application stage. Section 9.1 Ministerial Direction 2.2 provides requirements for Planning Proposals within a Coastal Use Area – refer to Appendix C – Consistency with 9.1 Ministerial Directions.</p>
SEPP (Concurrences) 2018	N/A. The proposal does not require the Planning Secretary to act as a concurrence authority at the current time.
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A. The proposal does not involve the development of an educational establishment or early education and care facility therefore the provisions of this SEPP are not relevant to the proposal.
SEPP (Exempt and Complying Development Codes) 2008	N/A. The proposal does not seek development consent or to amend exempt and complying development requirements.
SEPP (Gosford City Centre) 2018	N/A. The site is not located in the applicable area.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A. Future DA's for seniors housing will need to comply with this SEPP. The site is in a superior location with excellent access to services and facilities. Seniors Housing is permissible under the SEPP under the current zone as the land is zoned primarily for urban purposes. On this basis the Planning Proposal is consistent with the State Policy.

State Environmental Planning Policy (SEPP)	Issue 1
SEPP (Infrastructure) 2007	N/A. Future development of the land may be identified as Traffic Generating Development under clause 104 of the SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	N/A. The site is not located in the applicable area.
SEPP (Kurnell Peninsula) 1989	N/A. The site is not located in the applicable area.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A. The planning proposal does not provide for mining and related developments and would not impact on the ability to undertake such activities. The provisions of this SEPP are not relevant to the proposal.
SEPP (Miscellaneous Consent Provisions) 2007	N/A. The proposal does not involve temporary structures and is not requesting development consent.
SEPP (Penrith Lakes Scheme) 1989	N/A. The site is not located in the applicable area.
SEPP (Rural Lands) 2008	N/A. The site is currently zoned R3 Medium Density and is not within the applicable environmental protection or rural zones identified under the SEPP. The provisions of this SEPP are not relevant to the proposal.
SEPP (State and Regional Development) 2011	Not applicable at the Planning Proposal stage however future DA's may be of a category that will identify the Regional Planning Panel as the determining authority.
SEPP (State Significant Precincts) 2005	N/A. The site is not a State Significant Precinct therefore the provisions of this SEPP are not relevant to the proposal.
SEPP (Sydney Drinking Water Catchment) 2011	N/A. The site is not located in the applicable area.
SEPP (Sydney Region Growth Centres) 2006	N/A. The site is not located in the applicable area.
SEPP (Three Ports) 2013	N/A. The site is not located in the applicable area.
SEPP (Urban Renewal) 2010	N/A. The site is not located in the applicable area.
SEPP (Vegetation in Non-Rural Areas) 2017	N/A. The site, except for Lake Lane (which is a mown laneway), is developed and hence highly disturbed. The site does not contain significant areas of native vegetation communities or other significant features.
SEPP (Western Sydney Employment Area) 2009	N/A. The site is not located in the applicable area.
SEPP (Western Sydney Parklands) 2009	N/A. The site is not located in the applicable area.

Appendix C – Consistency with S9.1 Ministerial Directions

S117 Ministerial Direction	Issue
1.1 Business and Industrial Zones Encourages employment growth in suitable locations, while supporting the viability of centres and existing business and industry zones	N/A. The Planning Proposal does not affect land within an existing or proposed business or industrial zone.
1.2 Rural Zones Aims to protect the agricultural production value of rural lands.	N/A. The Planning Proposal will not affect land within an existing or proposed rural zone.
1.3 Mining, Petroleum Production and Extractive Industries	N/A. The planning proposal does not affect the permissibility of mining or extractive industries on land.
1.4 Oyster Aquaculture	N/A. The site is outside the identified Priority Oyster Aquaculture Areas.
1.5 Rural Lands Aims to protect the agricultural production value of rural lands and facilitate orderly and economic development of rural lands for rural and related purposes.	N/A. The Planning Proposal will not affect land within an existing or proposed rural or environment protection zone or change the existing minimum lot size thereof.
2.1 Environmental Protection Zones Aims to conserve and protect environmentally sensitive areas.	N/A. The site, except for Lake Lane (which is a mown laneway), is developed and hence highly disturbed. The site does not contain significant areas of native vegetation communities or other significant features.
2.2 Coastal Protection This direction requires Council to consider the provisions of the Coastal Management Manual and associated Guidelines.	<p>The planning proposal is consistent with the direction. The site is identified as wholly within the Coastal Environment Area as mapped within SEPP (Coastal Management) 2018 and a small portion of site is within the Coastal Use Area as mapped within SEPP (Coastal Management) 2018. However the site is not identified within a coastal vulnerability area identified by SEPP (Coastal Management) 2018.</p> <p>This Direction requires a Planning Proposal not to rezone land for increased development within a coastal vulnerability area. The Planning Proposal is consistent with this direction as the site is not within a coastal vulnerability area identified by SEPP (Coastal Management) 2018.</p>
2.3 Heritage Conservation Aims to conserve items and places of heritage significance and indigenous heritage significance.	The Planning Proposal is consistent with this direction as the existing GL LEP 2014 contains terms to facilitate conservation, that is, it contains the compulsory clause within the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> . The site is mostly developed as tourist accommodation. However an Aboriginal due diligence assessment will be required through the development application process.

S117 Ministerial Direction	Issue
<p>2.4 Recreation Vehicle Areas</p> <p>Aims to protect sensitive lands with significant vegetation value from the adverse impacts of recreational vehicles</p>	<p>N/A. The planning proposal is not located on sensitive land.</p>
<p>2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.</p>	<p>N/A. The site is not located in the applicable area.</p>
<p>3.1 Residential Zones</p> <p>Aims to encourage a variety and choice of housing types for future housing needs and make use of existing infrastructure and services.</p>	<p>The planning proposal is consistent with this Direction. The R4 High Density Residential zone will broaden the choice of building types available in the Forster CBD, make more efficient use of existing infrastructure and services and potentially reduce the consumption of land for housing on the urban fringes of Forster and Tuncurry. Design of future dwellings will be guided by NSW Government policies seeking good and site responsive design.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p> <p>Aims to provide a variety of housing types including opportunities for caravan parks and manufactured home estates.</p>	<p>This use is permissible under the current R3 Medium Density zone, however the proposed R4 High Density Residential zone prohibits caravan parks. This Planning Proposal does not propose any changes to the landuse tables in the GL LEP 2014.</p> <p>On this basis the Planning Proposal maybe inconsistent with this direction but the inconsistency is of a minor significance.</p>
<p>3.3 Home Occupations</p> <p>Aims to encourage low impact businesses in dwelling houses.</p>	<p>The Planning Proposal is consistent with this Direction in that it will permit home occupations to be carried out without the need for development consent in the R4 High Density zone.</p>
<p>3.4 Integrating Land Use & Transport</p> <p>Aims to improve access by walking, public transport and other means that reduce private car travel dependencies.</p>	<p>The planning proposal is consistent with the Direction. It will provide housing that is within flat and accessible walking distance of the commercial areas and community facilities.</p>
<p>3.5 Development Near Licensed Aerodromes</p> <p>Aims to ensure that Aerodromes operate safely and effectively and that development within the vicinity of aerodromes is suitable for occupation and does not compromise aerodrome operations.</p>	<p>N/A. This direction is not applicable as the proposal does not affect land in the vicinity of a licensed aerodrome.</p>
<p>3.6 Shooting Ranges</p>	<p>N/A. The Planning Proposal will not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>
<p>4.1 Acid Sulfate Soils</p>	<p>The site is Class 4 which requires consideration of Acid Sulfate</p>

S117 Ministerial Direction	Issue
Applies to land that has been identified as having a probability of containing acid sulfate soils.	Soils for works beyond 2m below natural ground level. The site is developed and the Planning proposal will allow increased development that may require footings beyond 2m below natural ground level. Potential impact on Acid Sulfate Soils will be investigated as part of geotechnical studies associated with future DA's. On this basis the Planning Proposal may be inconsistent with this direction but the inconsistency is of a minor significance.
4.2 Mine Subsidence and Unstable Land	N/A. The land: (a) is not within a Mine Subsidence District or (b) has not been identified as unstable land.
4.3 Flood Prone Land The purpose of this Direction is to ensure the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential of the flood impacts both on and off the subject land.	N/A. The site is not identified within the Flood Planning Area map (11D) of GL LEP 2014.
4.4 Planning for Bushfire Protection The objectives of this Direction are to encourage the sound management of bushfire prone areas, and to protect life, property and the environment from bushfire hazards.	N/A. The site is not mapped as bush fire prone on the Great Lakes Bush Fire Prone Land Map.
5.1 Implementation of Regional Strategies	N/A. The site is outside the applicable area.
5.2 Sydney Drinking Water Catchments	N/A. The site is outside the applicable area.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A. The site is outside the applicable area.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A. The Council is within the applicable area however the direction is not applicable as the site is not in proximity to the Pacific Highway.
5.5 Revoked	
5.6 Revoked	
5.7 Revoked	
5.8 Revoked	
5.9 North West Rail Link Corridor Strategy	N/A. The site is outside the applicable area.
5.10 Implementation of Regional	The Planning Proposal is consistent with the objectives and

S117 Ministerial Direction	Issue
Plans To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	actions contained within the <i>Hunter Regional Plan 2036</i> . The Planning Proposal will contribute to an increase in housing choice in Forster CBD.
6.1 Approval and Referral Requirements	The Planning Proposal will be consistent with this requirement. The planning proposal seeks to modify zone, height and floor space ratio but does not introduce any provisions that increase concurrence or referral requirements on the site.
6.2 Reserving Land for Public Purposes	The Planning Proposal will be consistent with this requirement. The Planning Proposal does not seek to alter the provision of land available for public use.
6.3 Site Specific Provisions	The Planning Proposal is consistent with Direction 6.3(4) as the development envisaged for the site will be enabled by the matching of the zone and development controls of the adjoining site (R4 High Density Residential zone). While concept drawings have been created for the development of the site, they do not form part of this Proposal and the rezoning is not specific to those drawings.
7.1 Implementation of A Plan for Growing Sydney	N/A. The site is outside the applicable area.
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A. The site is outside the applicable area.
7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A. The site is outside the applicable area.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A. The site is outside the applicable area.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A. The site is outside the applicable area.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A. The site is outside the applicable area.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A. The site is outside the applicable area.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A. The site is outside the applicable area.

S117 Ministerial Direction	Issue
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A. The site is outside the applicable area.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A. The site is outside the applicable area.

URBAN DESIGN ANALYSIS



Lot 1 DP 863309,
Lots 3 and 4 DP 758422,
Lots A and B DP 334388
and Lake Lane, Forster

1.0 INTRODUCTION

Lot 1 DP 868808, Lots 3 and 4 DP 766422, Lots A and B DP 554368 and Lake Lane (the subject site) as shown on Figure 1 is located in a prominent location within Forster. The site has direct frontage onto Macdonald Street being the major road connection through Forster as well as having a direct frontage onto Lake Street. It is also adjacent to the recently approved Forster Civic Precinct, which will incorporate a range of community uses, commercial and retail facilities and tourist and residential accommodation.

Two development scenarios are being considered for the site, which incorporate a change in zone, an increase in the maximum height and an increase in FSR. This report provides an urban design analysis of the two proposed development scenarios for the site incorporating a change in zone to:

- Scenario 1 - R4 - High Density Residential, or
- Scenario 2 - S4 - Mixed Use

Both scenarios consider the existing lots as a combined single developed site. A building massing model has been developed for each scenario addressing the following:

- Setbacks
- Building bulk / floor space ratio
- Height of building
- Deep soil requirements
- Separation of buildings
- Floor plate limitations
- Solar access

The urban design analysis of the site and its surrounding existing and future urban context provides an understanding of the future character of the locality. This assists in evaluating the urban design principles for the two scenarios.

The urban design analysis incorporates:

- A brief overview of the two proposed scenarios
- A contextual analysis of the site and the surrounding area including the existing and future urban character
- An urban design analysis of the two proposed scenarios addressing the proposed maximum height and FSR controls
- An overview of the proposed scenarios with regard to local and State government policies
- A summary of the two scenarios and its urban design future

Figure 1 – Locality Map
 (Source: Google Earth, 2019/20)



Figure 1 – Locality Map
 (Source: Google Earth, 2019/20)

THE SITE CONT.



View to south-west from Lake Street



View to south from Lake Street



View to south from Lake Street at the site



View to south from Lake Street



View to south-west from Lake Street



View south along Macdonald Street showing the site's frontage



View of the corner of Macdonald Street and Lake Street

Figure 3 – Site photos



View to the west along Lake Lane

Source: Google Earth



View to south from Lake Street, at the western boundary

3.0 CONTEXTUAL ANALYSIS

3.1 Surrounding Areas

The surrounding area consists of a mix of newer and older style buildings. New development generally comprises taller residential and tourist accommodation. The type of development has occurred throughout Forster and is generally located towards the north of the site. Older style buildings throughout the area are generally two and three storey well-up residential and tourist accommodation.

Surrounding land uses include:

- The Forster commercial zone to the northwest.
- The future Forster Civic Precinct has been approved for the landholding immediately adjacent to the west.
- Civic uses such as a Court House and Police Station further to the west.
- Wells Lake to the west and Forster Main Beach to the north.
- A range of dwelling types from low density, single storey dwellings in the east and south to high rise apartments to the north and west.
- Primary schools to the northwest.
- Tourist accommodation such as motels and holiday units to the north and south.
- Recreational uses such as a bowling club to the southeast, a tennis club and an aquatic centre to the northeast.
- Forster fire station west on Lake Street close to the intersection with Macintosh Street.
- Catholic and Uniting churches on the intersection of Macintosh Street and Lake Street.

Refer Figures 4 and 5.

Lake Street



View to west along Lake Street



View north from Lake Street at the site



View north west at Macintosh and Lake Street intersection

Figure 4 – Looking East from

Forster Beach Precinct



View to west along Lake Street



View north west from Macintosh Street at the site



View north west from intersection of Macintosh Street and Lake Street

Forster Commercial + Dining Precinct



View to west along Macintosh Street



View west along Macintosh Street



View west along Wells Street

CONTEXTUAL ANALYSIS CONT.



Figure 3 – Contextual Analysis Plan
North Street – Stage 2B

File names – Narrabri P1(2)
p1(2) – architecture, planning, urban design, landscape architecture

CONTEXTUAL ANALYSIS CONT.

3.2 Future Urban Character

The site is zoned R3 Medium Density Residential under the Great Lakes Local Environmental Plan 2014 (Great Lakes LEP). The maximum building height is 12m and the maximum FSR is 1:1.

The commercial core of Forster is zoned B2 Local Centre. A B4 mixed use zone immediately adjoins the local centre to the east and south. This incorporates the recently approved Forster Civic Precinct, which will include community facilities, commercial and retail land uses as well as residential and tourist accommodation. This B4 Mixed Use zone immediately adjoins the site to the west.

Land zoned for high density residential is located to the north of Lake Street and adjoins the B4 Mixed Use Zone. Medium density zoned land is located south of Lake Street and to the east of Macintosh Street.

The height of buildings transitions from 33m to 30m within the local centre, mixed use and high density residential areas. A 12m height is proposed for the medium density areas.

The objectives for height and FSR in the Great Lakes LEP are:

Height of buildings

- To ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality.
- To encourage residential development that is consistent with adoptable housing.

Floor space ratio

- To ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality.
- To permit a floor space ratio that will provide a transition in built form and land use intensity.
- To encourage residential development that is consistent with adoptable housing.

Zoning



Legend

R3	Medium Density Residential
B2	Local Centre
B4	Mixed Use
B1	Business Core
B3	Business Core (Special Use)
B5	Business Core (Special Use)
B6	Business Core (Special Use)
B7	Business Core (Special Use)
B8	Business Core (Special Use)
B9	Business Core (Special Use)
B10	Business Core (Special Use)
B11	Business Core (Special Use)
B12	Business Core (Special Use)
B13	Business Core (Special Use)
B14	Business Core (Special Use)
B15	Business Core (Special Use)
B16	Business Core (Special Use)
B17	Business Core (Special Use)
B18	Business Core (Special Use)
B19	Business Core (Special Use)
B20	Business Core (Special Use)
B21	Business Core (Special Use)
B22	Business Core (Special Use)
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B35	Business Core (Special Use)
B36	Business Core (Special Use)
B37	Business Core (Special Use)
B38	Business Core (Special Use)
B39	Business Core (Special Use)
B40	Business Core (Special Use)
B41	Business Core (Special Use)
B42	Business Core (Special Use)
B43	Business Core (Special Use)
B44	Business Core (Special Use)
B45	Business Core (Special Use)
B46	Business Core (Special Use)
B47	Business Core (Special Use)
B48	Business Core (Special Use)
B49	Business Core (Special Use)
B50	Business Core (Special Use)

Figure 5 – Great Lakes LEP Planning Control Maps (NTS)
Source: Great Lakes Council 2014

Height



CONTEXTUAL ANALYSIS CONT.

Future Urban Character Cont.

In 2008, a 'Civic Precinct Master Plan' was prepared on behalf of MidCoast Council (then known as Great Lakes Council) for land located immediately to the west of Macintosh Street to the Lake, Foreshore and beach areas.

The Civic master plan identifies the precincts for Forster to assist in the type and density of development.

Since the implementation, as part of the development of the Civic Precinct planning, Great Lakes Council determined that a larger site would be needed to address the space requirements for a civic precinct incorporating a new library, visitor information centre, community facilities and parking. This led to the purchase of land adjacent the subject site located on the corner of Lake, West and Middle Streets.

The site is south of Area 1, which has been identified as the Tall Building Precinct and north of Area 5 being the South Central Precinct. The Civic Precinct has now been relocated further to the east and will immediately adjoin the subject site.

Refer Figures 7 and 8.



Figure 7 – Forster Precincts (NTS)
Source: Great Lakes Development Control Plan (2008)

The vision for this area is for active pedestrian oriented streets that will suit permanent residents as well as visitors to the area.

Development adopts similar heights to the existing but reinforces the street-orientation of the buildings. Reduced side setbacks permit buildings to give the streets a more formal urban character. Ground level apartments will generally be accessed through a courtyard with a fence and gate to the street. Larger rear setbacks with substantial deep soil zones and a requirement for planting trees that grow to substantial size will create a complete 'green zone' in the mid-block. These will effectively screen buildings facing one another across the rear lane.

All vehicular access onto the sites is via the rear lane. Gone are the long access ramps that mar many of the recent developments in the zone. These are either unnecessary because the car parking is wholly below grade, ramps are integrated within the building lobby or ramps are located at the side of the building.

This area occupies an important threshold in Forster. At the southern edge of the existing town centre and at the place where Peniston Creek line meets the Breckenridge Channel. It incorporates the Police Station, court house, public service buildings and bus stop. It is bounded to its south by parkland that provides a clear demarcation between the commercial centre and the medium density zone to the south. The curve of Little Street and the Westward slope of the site create a natural amphitheatre with its focus upon the foreshore.

The future use of the area is the subject of separate masterplan investigation. The site holds development potential for mixed commercial use that reinforces the role of the area as the civic heart of Forster. It has been considered for functions such as library, cafe, market ground and office space.

This area will be an important living area with a predominance of permanent residents, including a significant proportion of elderly people. The range of facilities creates the potential for ageing in place. People may remain in a familiar area within a community while their needs may change with regards to size of dwelling, household, or level of care.

The area offers more active space along the foreshore in the 'front row'. The street away from Little Street and Macintosh Street are quieter and leafy in character. Close proximity to the foreshore with an improved boardwalk and its generally flat topography make this an excellent walking precinct. The increasing residential density in the area will likely see the re-establishment of neighbourhood shops on Little Street as well as growing facilities on the waterfront.

Figure 8 – Forster Precincts Summary
Source: Great Lakes Development Control Plan (2008)

CONTEXTUAL ANALYSIS CONT.

Future Urban Character Cont.

As previously identified, Council purchased the site on the corner of Lake, West and Middle Streets for a future civic precinct.

In 2017, Council lodged a proposal with the NSW Department of Planning to amend the Great Lakes LEP to increase building heights and the floor space ratio controls for the future civic precinct. In order to achieve the size and scale proposed, the building heights applicable to the site under the LEP were increased (ranging from 26m to 33m) and the floor space ratio increased to 3:1.

The amendments to Council's LEP were subsequently approved and gazetted in 2017.

A development application for the development of the Civic Centre Precinct was lodged and approved by the Joint Regional Planning Panel in 2017.

The project proposes a "landmark" development on 12,153m² of land and would include:

- Building "A": A residential tower with commercial and community facilities located at the ground and first floors including a library, visitor information centre, community centre, a restaurant/cafe and apartments on the upper floors.
- Buildings "B" and "C": That includes two residential apartment buildings connected by a ground level podium. Proposed ground level uses include; retail shops, a supermarket, restaurants, cafes and a gymnasium.
- Building "D": A proposed hotel with retail and an office at ground level. The hotel lobby and a business centre are located within the basement levels while hotel and function rooms, a restaurant, pool and amenities are located on the upper floors.

Refer Figures 9 and 10.



Figure 9 – Architectural Artist Impressions
Source: PJA Architects (2018)

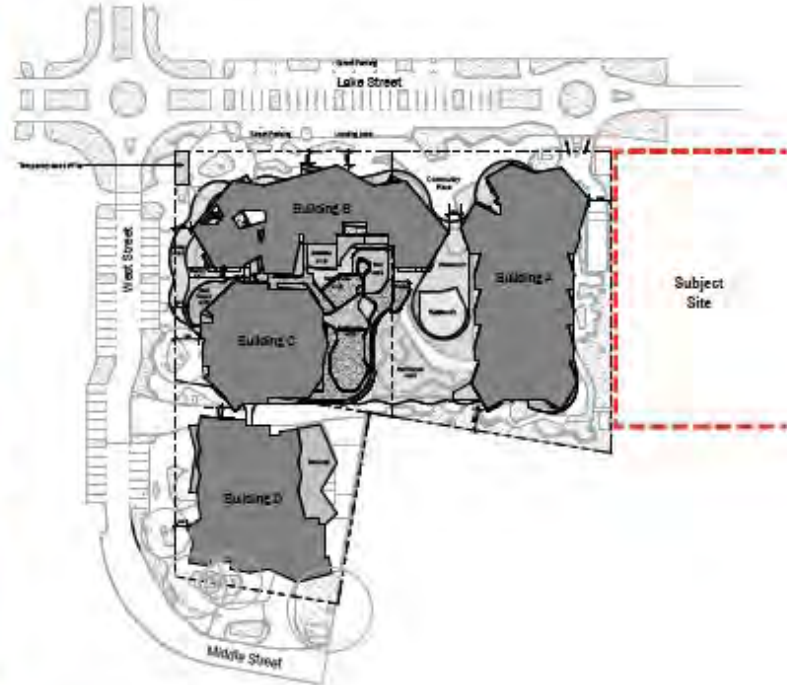


Figure 10 – Architectural DA Site Plan (NTS)
Source: PJA Architects (2018)

4.0 SCENARIO 1 - HIGH DENSITY RESIDENTIAL

4.1 R4 High Density Residential Controls

Scenario 1 proposes an R4 High Density Residential zone for the site under the Great Lakes LEP. The objectives of the R4 High Density Residential zone are to provide higher densities of residential accommodation in locations that support the business centre. Objectives of the R4 zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To achieve increased population density in locations that support the business centre.
- To provide for tourist and visitor accommodation in appropriate locations.

The proposed development controls for the site are outlined in Table 1. The intent for the site is to increase the height to 30m and the FSR to 3:1. The other development controls are generally in accordance with Council's LEP and DCP.

This scenario for an R4 High density residential development also incorporates the potential for retail / commercial floorspace given its location on the main highway through Forster. Some retail / commercial uses are permissible in the R4 High Density Residential zone.

Table 1 - Proposed LEP and DCP controls

Height of Building	30m
Floor Space Ratio	3:1
Approx. Floors	9
Setbacks	Primary Street 4.5-5.0m Side and Rear <3 levels = 6m >3 levels = 9m
Depth and Bulk	Maximum floor-plate of buildings > 5 storeys = 500m ² per level above level 5. GFA area of the top-level can be a max of 60% of the floor level directly below
Deep Soil	15% of the site area with a minimum dimension of 4.5m
Permissible uses without consent	Home occupations
Permissible uses with consent	Boarding houses; Boat launching ramps; Car parks; Centre-based child care facilities; Community facilities; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Helipads; Home-based child care; Home businesses; Information and education facilities; Jetties; Moorings; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential accommodation; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Service stations; Sewerage systems; Shop top housing; Signage; Tourist and visitor accommodation; Water recreation structures; Water supply systems

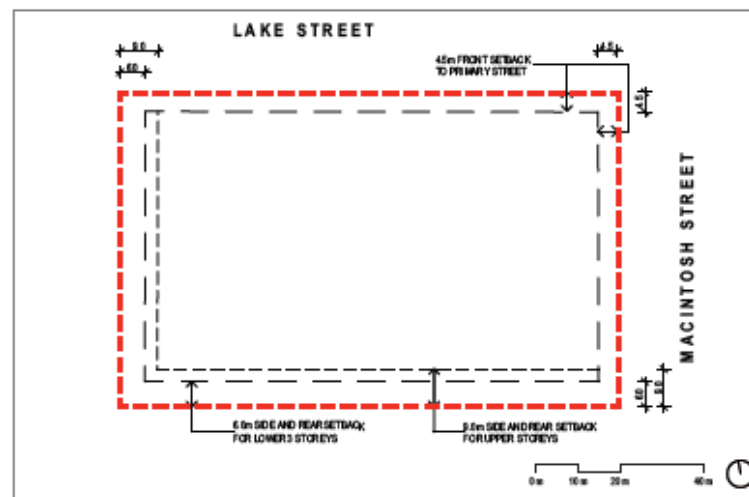


Figure 11 - R4 High Density Residential - Site setbacks

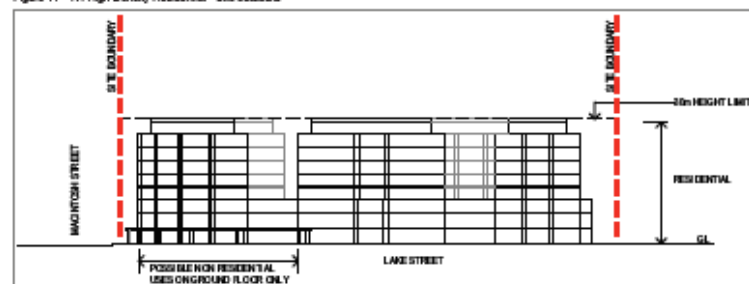


Figure 12 - Indicative North Elevation from Lake Street

SCENARIO 1 CONT.

4.2 High Density Residential Concept

A massing model has been developed for the site based on the proposed development controls and the site constraints and opportunities including solar access, deep soil requirements and setbacks as shown on Figures 13 and 14. Whilst the proposal meets the height requirements, the FSR for the site is 2.75:1, which is less than the proposed 3:1 FSR. The lower FSR is due to meeting other requirements such as deep soil, setbacks. In order to meet an FSR of 3:1 the controls would need to be amended. This is further discussed in Section 7.0.

Other massing models were developed for the site and included in Appendix 1. However, the proposal identified below is more likely to meet the site's development planning controls.

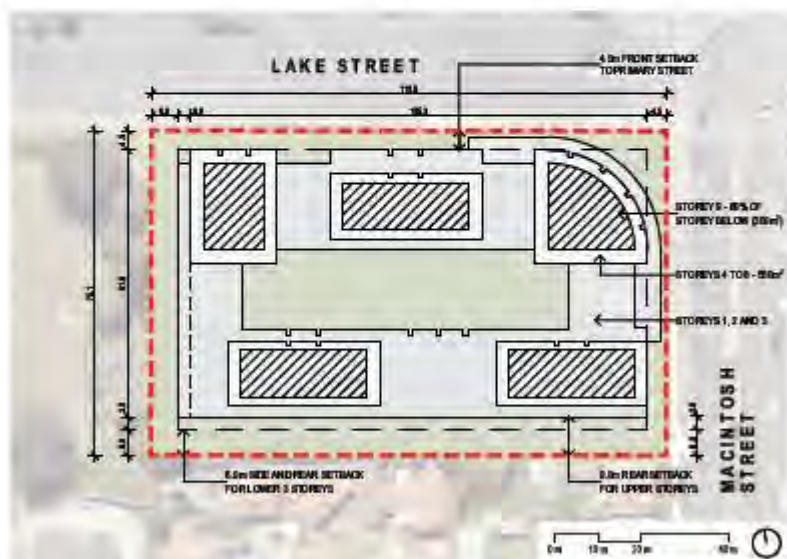


Figure 13 – Concept plan

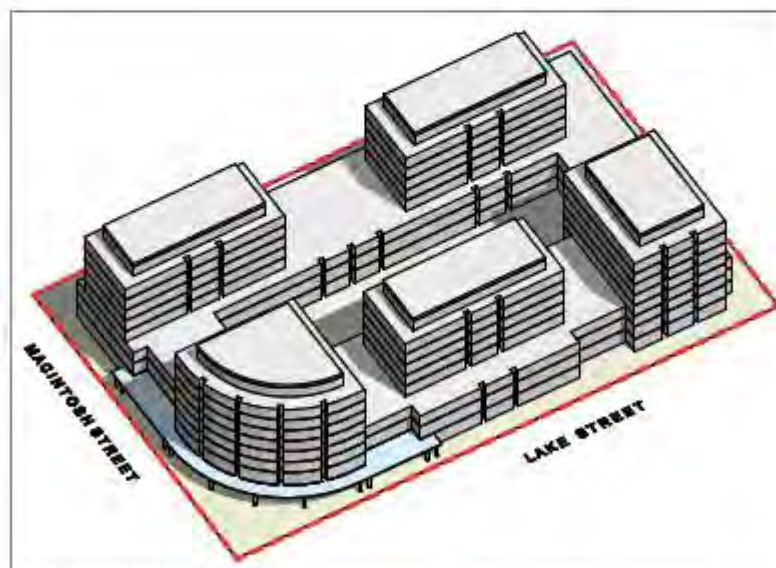


Figure 14 – 3D Concept view from Lake Street (NTS)

5.0 SCENARIO 2 - MIXED USE

5.1 Scenario 2 - B4 Mixed Use Controls

Scenario 2 proposes a B4 Mixed Use zone for the site under the Great Lakes LEP 2014. The objectives of the B4 Mixed Use zone are to integrate suitable business, residential and tourism related uses that support the business centre. Objectives of the B4 zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that does not prejudice the established business and industrial centres.
- To ensure that traffic generation from development can be managed in a way that avoids conflict with the desired pedestrian environment.
- To ensure the inclusion and integration of housing to promote housing diversity and community activity within the business centre.
- To enable a range of tourism-related uses that support the business centre.

The proposed development controls for the site are outlined in Table 2. The intent for the site is to increase the height to 26m and the FSR to 3:1. The other development controls are generally in accordance with Council's LEP and DCP.

Table 2 - Proposed LEP and DCP controls

Height of Building	26m
Floor Space Ratio	3:1
Approximate Floors	6
Setbacks - Primary Street	4.5-5.0m
Setbacks - Side and Rear <3 levels	Nil for 1 side boundary + 2.5m for 1 side boundary Nil for commercial 6 m where no rear lane access is possible
Setbacks - Side and Rear >3 levels	9m where a habitable room/balcony faces a habitable room/balcony on an adjacent property
Depth and Bulk	Maximum floor-plate of buildings > 5 storeys = 500m ² per level above level 5 inclusive of balconies. GFA area of the top-level can be a maximum of 60% of the floor level directly below
Deep Soil	20% of the site area with minimum dimensions of 4.5m
Permissible uses without consent	Home occupations
Permissible uses with consent	Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Group homes; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4 of Zone B4 of Great Lakes LEP.

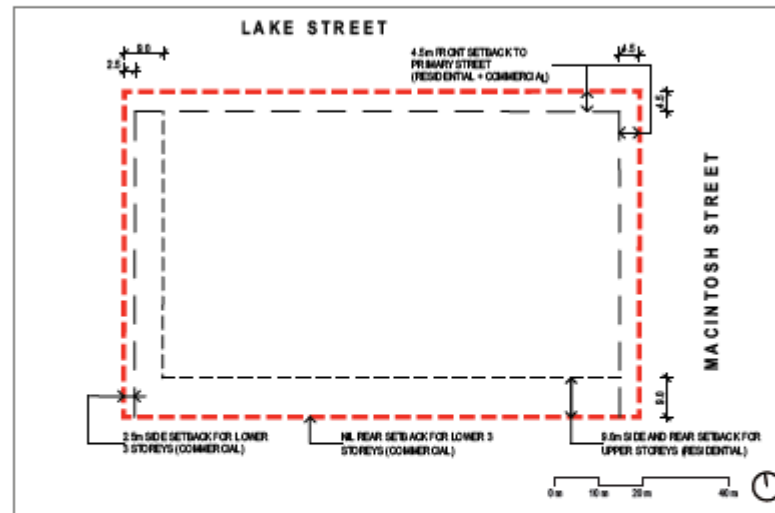


Figure 15 - B4 Mixed Use - Site setbacks

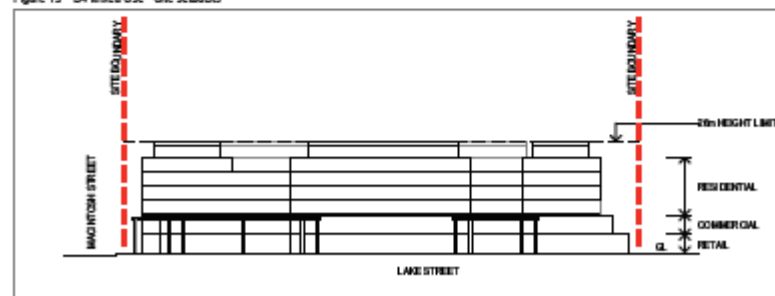


Figure 16 - Indicative North Elevation from Lake Street

SCENARIO 2 CONT.

5.2 Scenario 2 - B4 - Mixed Use Concept

A massing model has been developed for the site based on the proposed development controls and the site constraints and opportunities including solar access, deep soil requirements and setbacks as shown on Figures 17 and 18. Whilst the proposal meets the height requirements, the FSR for the site is 2.5:1, which is less than the proposed 3:1 FSR. The lower FSR is due to meeting other requirements such as deep soil, setbacks. In order to meet an FSR of 3:1 the controls would need to be amended. This is further discussed in Section 7.0.

The massing model incorporates retail and commercial land uses on the ground and first floors with residential accommodation above.

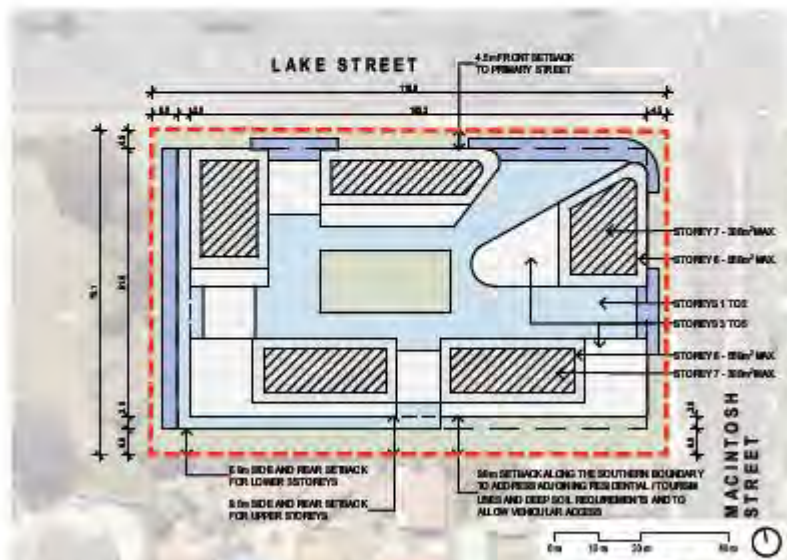


Figure 17 – Concept plan

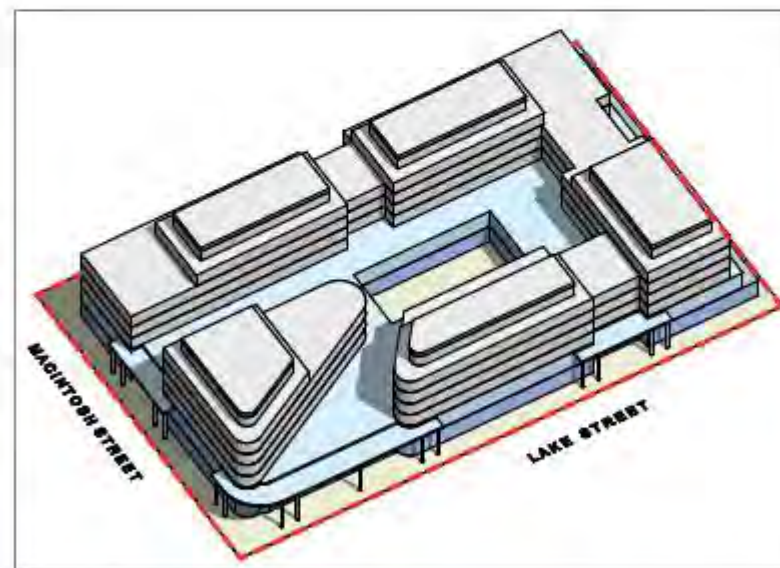


Figure 18 – 3D Concept view from Lake Street (NTS)

6.0 URBAN DESIGN ANALYSIS

6.1 Scenario 1 - R4 High Density Residential Urban Design Analysis

Figure 19 incorporates the proposed massing models for Scenario 1 in the existing built form and the desired future character, which has been determined from the LEP and DCP controls. These indicative views assist in undertaking the urban design analysis for the scenario.



Proposed massing model with existing built form

Figure 19 – Future Built Form - Indicative Only - View from the south east



Proposed massing model with desired future development

URBAN DESIGN ANALYSIS CONT.

6.2 Scenario 2 - B4 Mixed Use Concept Urban Design Analysis

Figure 20 incorporates the proposed massing model for Scenario 2 in the existing built form and the desired future character, which has been determined from the LEP and DCP controls. These indicative views assist in undertaking the urban design analysis for the scenario.



Proposed massing model with existing built form

Figure 20 – Future Built Form - Indicative Only - View from the south east



Proposed massing model with desired future development

URBAN DESIGN ANALYSIS CONT.

6.3 View Analysis

A view analysis has been undertaken for the proposal in context with Council's desired future character for Forster. The subject site is visible from some areas within and adjoining Forster primarily due to the surrounding topography.

Development within Forster is generally still low rise compared to the future desired character as envisaged in the Great Lakes LEP. The future desired character is considered for the view analysis of the two scenarios for the site.

Surrounding development to the site is generally one to two storeys with larger developments occurring to the north. The site and immediately surrounding area are level.

Views towards Wallis Lake will generally only be available to lake frontage properties and along the road network that runs towards the Lake. Views of Wallis Lake from the site are unlikely due to the proposed future developments to the west. Views would be available along part of the street network including Lake Street.

Forster is visible from Cape Hawke and Whoots Whoots Lookouts.

The following provides a view analysis of the subject site from the surrounding district viewpoints as shown on Figure 21 for both scenarios 1 and 2.

Table 8 - District Viewpoints

Viewpoint	Comments
(A) Cape Hawke Lookout	Important tourist lookout. CBD and the subject site is likely to be visible from the lookout but the visual impact is reduced and would be minimal for both scenarios due to the distance being in excess of 5km.
(B) Whoots Whoots Lookout	Important tourist lookout. CBD and the subject site is likely to be visible from the lookout but the visual impact is reduced and would be minimal for both scenarios due to the distance being in excess of 12km.



Figure 21 – Key viewpoint locations - District
Source: Google Earth



View from Cape Hawke Lookout



View from Whoots Whoots Lookout

URBAN DESIGN ANALYSIS CONT.

View Analysis Cont.

The following provides a view analysis of the subject site from the surrounding local viewpoints as shown on Figures 22, 23 and 24 for both scenarios 1 and 2. Eight (8) key viewpoints have been identified within the local area. Given, the desired future character of Forster, the development would not be visually prominent from many of the local streets. The viewpoints have been determined based on this:

An analysis of the key viewpoints for each of the scenarios is undertaken in Table 4.

Table 4 - Viewpoint analysis

Viewpoint	Scenario 1 – R4 High Density Residential	Scenario 2 – B4 Mixed Use
① View east from Coral Avenue	The proposed development is approximately 1300m from the foreshore. The height of the proposed development will be lower or similar in height to other future development within the commercial core and along the foreshore. The approved Forster Civic Precinct buildings to be located immediately to the west will block views of the site from this viewpoint.	The impact on the view from this location will be the same as for Scenario 1 as the building will not be visible.
② Forster/Tuncurry Bridge	The proposed development would not be visible as it is obscured by existing buildings and potentially landscape in the foreground. Further, the proposed development would not be visible due to the proposed Forster Civic Precinct buildings.	The impact on the view from this location will be the same as for Scenario 1.
③ Forster Lookout	The view is obscured by existing buildings and landscape in the foreground. As future development takes place, it is unlikely that the subject site will be visible as the built form within the commercial core and adjoining B4 High Density zone has a higher maximum building height up to 33 m.	The impact on the view from this location will be the same as for Scenario 1.
④ Memorial Drive (Forster Waterside)	The existing view obscured by existing buildings and vegetation in the foreground. As future development takes place including within the commercial core or the civic precinct development, the proposed development would not be visible.	The impact on the view from this location will be the same as for Scenario 1.
⑤ Bennetts Head Road	The commercial core and adjoining R4 High Density residential zone are visible from a short section of Bennetts Head Road. The subject site adjoins the existing R4 zone and therefore would be partly visible. The proposed development would form part of the overall CBD skyline and therefore the visual impact would be minimal. Further, the dwellings along Bennetts Head Road face towards the north to the ocean views and away from the proposed development.	The impact on the view from this location would be similar as for Scenario 1. However, the proposed development is lower and therefore the visual impact would be negligible.
⑥ Adjoining street network (view to the south from Macintosh Street)	Built form along Macintosh Street will be visible. This scenario would form an extension of the proposed future development along Macintosh Street and therefore the visual impact would be minimal.	The impact on the view from this location will be similar as for Scenario 1. The height of this scenario is lower and therefore the visual impact would be less.
⑦ Adjoining street network (view to the west along Lake Street)	View corridors along streets are framed by future development on both sides of Lake Street. This scenario demonstrates additional height provides a balance in height and scale on both sides of the street although there is a greater transition to the development at the corner of Lake and Macintosh Streets than Scenario 2.	View corridors along streets will be maintained and the scale of this scenario is in keeping with development of the surrounding areas based on the desired future character.
⑧ Adjoining street network (north along Macintosh Street)	Upper levels of this scenario along Macintosh Street are potentially visible however the height is visually moderated by foreground development and a large majority of the subject site and its development would be blocked from view by future development.	The development forms a homogeneous built form on the west side of Macintosh Street due to its lower height based on the desired future character.

URBAN DESIGN ANALYSIS CONT.

View Analysis Cont.



Figure 22 – Key view point locations – Local
Source: Google Earth Pro 2018

URBAN DESIGN ANALYSIS CONT.

View Analysis Cont.

Viewpoint 1



View east from Corel Avenue

Viewpoint 2



View east from Forster Tuncurry Bridge

Viewpoint 3

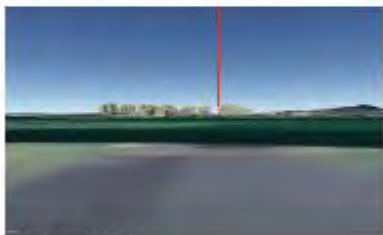


View south from Forster Lookout

Viewpoint 4



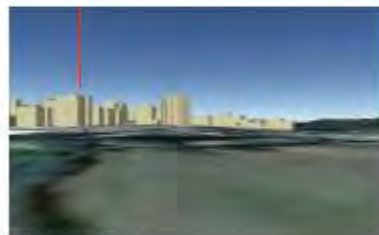
View east along Memorial Drive



Indicative view - Scenario 1



Indicative view - Scenario 1



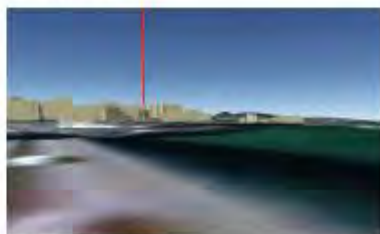
Indicative view - Scenario 1



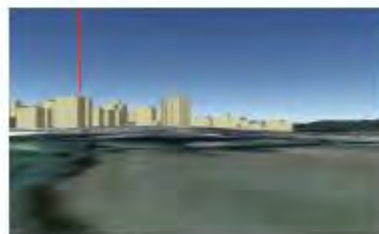
Indicative view - Scenario 1



Indicative view - Scenario 2



Indicative view - Scenario 2



Indicative view - Scenario 2



Indicative view - Scenario 2

Figure 23 – Key view points - Local

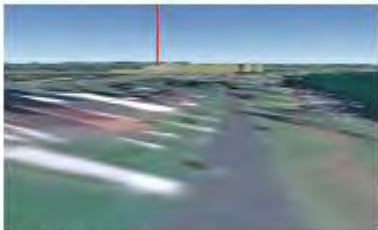
URBAN DESIGN ANALYSIS CONT.

View Analysis Cont.

Viewpoint 5



View west along Bennetts Head Road



Indicative view - Scenario 1



Indicative view - Scenario 2

Figure 24 – Key view points - Local

Viewpoint 6



View south along Macintosh Street



Indicative view - Scenario 1



Indicative view - Scenario 2

Viewpoint 7



View west along Lake Street



Indicative view - Scenario 1



Indicative view - Scenario 2

Viewpoint 8



View north along Macintosh Street



Indicative view - Scenario 1



Indicative view - Scenario 2

URBAN DESIGN ANALYSIS CONT.

6.4 Solar Access

Solar access was reviewed for each of the two scenarios based on the desired future character outlined in the Great Lakes LEP (refer page 6). The diagrams illustrate that the two conceptual scenarios could comply with current solar access and overshadowing requirements and would be subject to the detailed design.

The shadow diagrams are based on the winter solstice June 21.

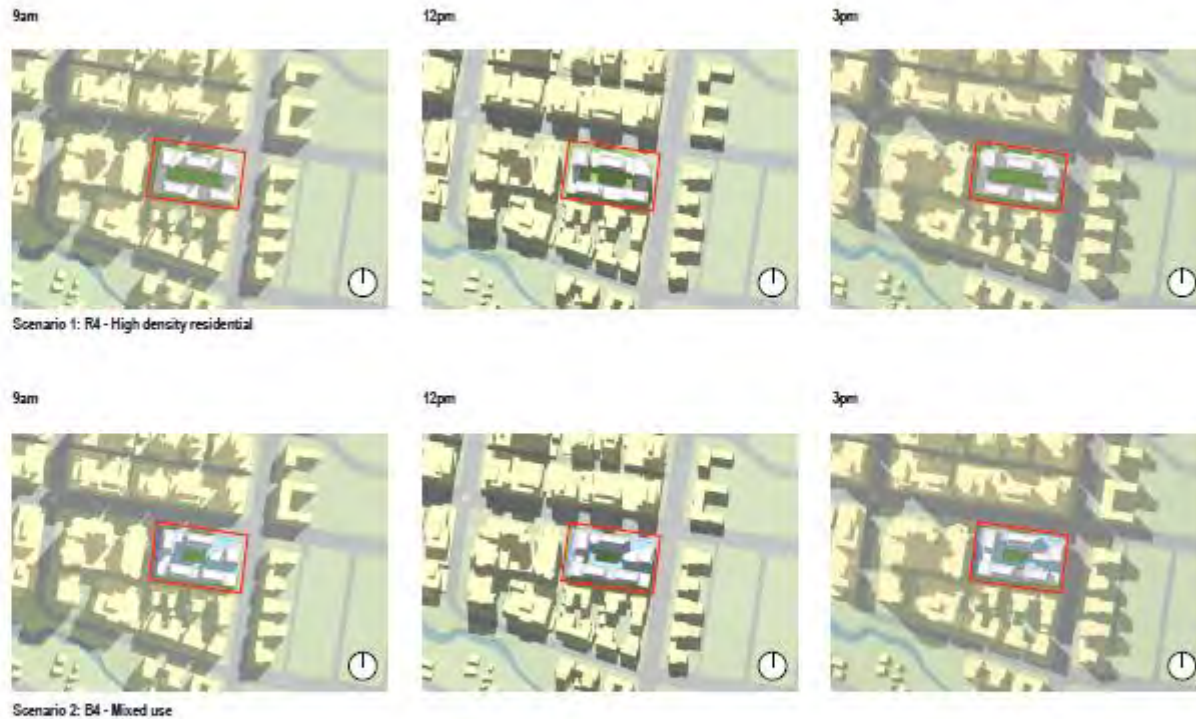


Figure 25 – Solar Access for Future Built Form - Indicative Only (NTS)

URBAN DESIGN ANALYSIS CONT.

6.5 Forster DCP Requirements

The vision for Forster as stated in the DCP is:

"To retain and enhance the unique natural environmental character and relaxed coastal lifestyle offered by Forster Tuncurry, whilst embracing high quality development promoting the area as a popular location for residential living, tourism and business".

Both scenarios one and two are capable of supporting this vision based on the urban design analysis.

Council's DCP contains character statements and objectives that support the stated vision for the Forster coastal town centre and to help guide appropriate urban design and development. These are summarised in Table 5 and an assessment of the two scenarios undertaken for the character statements and objectives.

Table 5 - DCP Town Centre Character Analysis

Character Statement + Objectives	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
Character Statement		
In general, new development must:		
1. Contribute to the existing and desired future character of the locality.	Change from R3 to R4 supports the desired future character for residential accommodation.	Change from R3 to B4 generally supports the desired future character through additional residential development. The mixed use would be complementary to the adjoining Civic Precinct.
2. Help differentiate between different precincts / villages / neighbourhoods.	Change to R4 will maintain the desire to create a residential neighbourhood. The higher density will assist in supporting the additional commercial and community facilities proposed in the adjoining Civic Precinct and in the Forster commercial core.	A change to B4 would be complementary to the future development of the adjoining Civic Precinct development by providing additional residential accommodation and a defined amount of retail and commercial uses.
3. Respect existing development scale and setbacks.	Setbacks are compliant and in keeping with the future character of the street. The proposed increase in height would assist in framing development along Lake Street and be in scale with the proposed Civic Centre Precinct.	Setbacks are compliant and in keeping with the future character of the street. The proposed increase in height would assist in framing development along Lake Street and be in scale with the proposed Civic Centre Precinct.
4. Protect and enhance the natural environment.	The subject site is already developed. No significant trees are proposed to be removed.	Same as Scenario 1.
5. Encourage passive surveillance and security.	The proposal would be designed to meet this requirement through addressing the street and internal public areas.	The proposal would be designed to meet this requirement through addressing the street and internal public areas.
Additional Coastal Town Centre Objectives		
1. Achieving sustainable town centres.	Change from R3 to R4 will increase density in the town centre allowing greater access to facilities and coastal recreation areas.	Same as scenario 1 however there would be greater diversity of uses on the subject site potentially facilitating higher use and visitation.
2. A unique identity	The identity of the development would be considered and developed as part of the future building design and contribute overall to Forster.	Same as scenario 1.
3. Creating compact and attractive town centres.	The subject site is in close proximity to the Forster commercial core and adjacent to the approved Civic Precinct. The proposed increase in density would create a more compact town centre.	Same as scenario 1.
4. Facilitating access and mobility around and between the towns	Lake Street is identified as a major pedestrian link connecting the precinct to the commercial core. Macintosh Street is also the major road corridor between Forster and Tuncurry.	Same as scenario 1.
5. Creating liveable towns	The subject site will have direct access to community facilities located nearby including the future Forster Civic Precinct.	Same as scenario 1.
6. Re-connecting the towns to the foreshore	Lake Street provides direct access to the foreshore.	Same as scenario 1.
7. Improving the quality of the public domain	The public domain would be considered and developed as part of the future site design.	Same as scenario 1.
8. Improving the quality of new buildings	New buildings would be considered as part of the design.	Same as scenario 1.
9. Improved Neighbourhood Amenity	Neighbourhood amenity would potentially be improved through new development through the public and private interface.	Same as scenario 1.
10. Diversity and Availability of Housing types	Additional height and FSR will increase residential development and the range of housing types including affordable housing and housing for seniors.	Same as scenario 1.
11. Environmental Accountability	Higher density residential development reduces the building footprint and therefore addresses ecological, economical and social objectives.	Same as scenario 1.

URBAN DESIGN ANALYSIS CONT.

6.6 Evaluating Good Design

The draft policy Evaluating Good Design has been prepared by the Government Architect NSW (GANSW). This document presents a set of requirements to evaluate design proposals. It presents seven design objectives for the built environment, applicable at any scale, including cities and precincts, the public realm and individual buildings. Better Placed addresses a broad range of issues and challenges that should be considered when producing a well-designed built environment.

Evaluating Good Design outlines the criteria for evaluating a building, precinct, urban space, landscape element, public utility or item of infrastructure, any component of the built environment, at any scale, and in any setting.

The Draft Policy outlines a series of seven distinct objectives as follows:

1. Better fit - contextual, local and of its place
2. Better performance - sustainable, adaptable and durable
3. Better for community - inclusive, connected and diverse
4. Better for people - safe, comfortable and liveable
5. Better working - functional, efficient and fit for purpose
6. Better value - creating and adding value
7. Better look and feel - engaging, inviting and attractive.

The following addresses the requirements for each of the objectives for the proposal:

Table 6 - NSW Evaluating Good Design Response

Objective	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
Objective 1 - Better fit - contextual, local and of its place		
1. Considering the design in its immediate environs, and the wider context.	The site is well located being immediately adjacent to the recently relocated Civic Precinct and in close proximity to the Forster commercial core. It is also well located in regards to the main road connector.	As per Scenario 1.
2. Responding to the local landscape setting and its natural features, including topography, waterways and vegetation.	The site is flat with little to no native vegetation and well suited for higher density development.	As per Scenario 1.
3. Responding to the broader urban context in terms of existing street patterns, development and built form.	The proposal would fit within the broader urban context in regards to the proposed future character of the area. New higher density development has commenced just to the north of the site.	As per Scenario 1.
4. Effectively addressing the immediate site conditions, surrounding public realm, neighbouring buildings or sites, and interfaces.	The site fronts onto Lake Street and Macintosh Street. The proposal for the whole site would allow future development to address the public realm.	As per Scenario 1.
5. Building on and reinforcing distinct and authentic local characteristics, qualities and attributes, referencing local heritage and local materials where applicable to support local identity.	This would form part of the detailed design for the site.	As per Scenario 1.
6. Retaining and enhancing existing buildings and vegetation of public value.	The site is well positioned to be redeveloped as it does not have any existing buildings or vegetation of public value.	As per Scenario 1.
7. Contributing to change in the urban context, where appropriate or desirable, in a managed, careful and responsive manner, establishing a reference for future built form and urban design.	The site is located on the edge of the high density residential zone. The Civic Precinct has been relocated and now adjoins the site. The change in zone and higher density land uses on the subject site is a logical extension to change the urban context.	As per Scenario 1.
8. Contributing to the immediate public realm, through activation, passive surveillance, visual interest and improved amenity; supporting community interaction and addressing local needs and opportunities.	The development site provides a great opportunity to contribute to the public realm due to its frontage onto Lake and Macintosh Streets as well as linking with the adjoining Civic Centre Precinct.	The development site provides a great opportunity to contribute to the public realm due to its frontage onto Lake and Macintosh Streets as well as linking with the adjoining Civic Centre Precinct. The commercial and retail land uses would further assist in activation, community interaction and addressing local needs.
9. Creating or contributing to a distinctive, defined urban character in the local area.	Future development could contribute significantly to the overall urban character due to its location and in particular access to the adjoining Civic Precinct and the waterfront.	The mixed use development could contribute to the overall urban character due to its location and in particular access to the adjoining Civic Precinct and the waterfront. Further, the mixed use land uses would further support the Civic Precinct.
Objective 2 Better performance - sustainable, adaptable and durable		
1. Facilitating and encouraging sustainable transport modes including walking, cycling and public transport and minimising the space dedicated to vehicle movement and parking.	The site is with walking distance of the commercial core, the Civic Precinct and waterfront. It is also well located on Macintosh Street being the major road connector through the town.	As per Scenario 1.
2. Accommodating an appropriate range of well-distributed, public or private activities.	Appropriate facilities would be required to meet the needs of the residents of any new development.	The mixed use development would need to accommodate private and public space to meet residents and visitors needs.
3. Accommodating future change in use or activities.	The proposal incorporates a higher density residential land uses.	The proposal incorporates a mixed use zone, which would accommodate a range of future land uses.
4. Integrating green infrastructure, including tree canopy, open space, bushland and waterways with urban development and grey infrastructure, such as streets, roads and public transport.	The design of the future development would incorporate sustainability initiatives. There would also be an opportunity to integrate with the proposed street network as part of the adjoining Civic Precinct.	As per Scenario 1.

URBAN DESIGN ANALYSIS CONT.

Evaluating Good Design Cont.

Table 7 - NSW Evaluating Good Design Response cont.

Objective	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
5. Contributing to resource efficiency (energy, water, materials), including minimising consumption, and accommodating localised energy generation, water recycling and food production.	Objective would be considered as part of the detailed design of the development.	As per Scenario 1.
6. Prioritising the use of robust, locally sourced materials and resilient, climate-responsive plant species.	Objective would be considered as part of the detailed design of the development.	As per Scenario 1.
7. Responding to local climate conditions, and using efficient, passive approaches and systems to provide shade, shelter, heating and cooling to reduce the burden on, or need for, mechanical systems.	The site's longest frontage is Lake Street, which is to the north of the site. The design of the development would be able to respond to local climate conditions.	As per Scenario 1.
8. Arranging layouts, facades, materials and features to optimise environmental performance, through access to fresh air, natural light, greenery and vegetation.	Objective would be considered as part of the detailed design of the development.	As per Scenario 1.
Objective 3 - Better for community - inclusive, connected and diverse		
1. Supporting appropriate layout, density and wayfinding for walking, cycling and access to services, facilities and public transport.	A higher density within this location would be beneficial for the residents due to its close proximity to the commercial core, Civic Precinct and the waterfront.	A higher density within this location would be beneficial for the residents due to its close proximity to the commercial core, Civic Precinct and the waterfront. The mixed use land uses would also benefit the surrounding residential areas.
2. Developing layouts in precincts, buildings and spaces that encourage exploration, movement, and equitable public access in public and community buildings as well as privately owned public spaces.	The site is large enough for future development to be designed in appropriate precincts, buildings, spaces, etc. The objective would be considered as part of the detailed design of the development.	As per Scenario 1.
3. Accommodating or contributing to a diverse and integrated mix of spaces and uses including diverse housing types, community spaces and commercial premises.	The proposal incorporates a higher density residential development, which would provide a range of housing types.	The proposal contributes to a diverse and integrated mix of spaces as the proposed mixed use zone would incorporate a range of housing types as well as commercial land uses.
4. Supporting equitable access to a diverse range of local economic or employment opportunities.	The site is located within close proximity to the commercial core and the adjoining Civic Precinct, which would provide access to economic and employment opportunities.	The site is located within close proximity to the commercial core and the adjoining Civic Precinct, which would provide access to economic and employment opportunities.
5. Providing or contributing to a range of types of open space in the public realm, varying in sizes and configuration and connecting to wider networks, particularly in higher density urban locations.	The site is located within close proximity to a range of open space areas. Providing open space within the development would be subject to the future design.	As per Scenario 1.
6. Creating internal and external layouts which can accommodate a wide range of events, activities and informal social interactions.	Objective would be considered as part of the detailed design of the development.	As per Scenario 1.
7. Ensuring permeable edges to buildings and spaces by creating frontages, connections and entrances that are legible, engaging and welcoming especially in town centres, main streets and higher-density areas.	Objective would be considered as part of the detailed design of the development.	As per Scenario 1.

URBAN DESIGN ANALYSIS CONT.

Evaluating Good Design Cont.

Table 8 - NSW Evaluating Good Design Response cont.

Objective	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
8. Contributing to an interconnected network of green infrastructure, linking tree canopy, open space, bushland and waterways.	As identified previously, the subject site could be designed to interact with the streetscape along Lake Street as part of the future design.	As per Scenario 1.
Objective 4 - Better for people - safe, comfortable and livable		
1. Prioritising people as the most important design consideration and the foundation for design decisions.	The principles to meet this objective will be addressed as part of the design development for the proposal. However, the site is located within close proximity to range of public uses and services. Further, the development site can provide a range of basic requirements for the future residents and visitors.	As per Scenario 1.
2. Providing an appropriate range of climatic experiences – shelter, enclosure, openness, solar access and shade.	As above.	As per Scenario 1.
3. Supporting a spectrum of public realm uses – including individual (walking, waiting, sitting), social (meeting, interacting) and active recreational activities (playing) – through the design of spatial layouts, furniture, materials, planting and other details.	As above.	As per Scenario 1.
4. Accommodating an appropriate range of social and community activities by providing flexible spaces that are adaptable as future circumstances change.	As above.	As per Scenario 1.
5. Optimising comfort and enjoyment within buildings and spaces, through acoustic and thermal comfort, appropriate lighting, appropriately proportioned spaces and connection to surroundings.	As above.	As per Scenario 1.
6. Ensuring that layout arrangements and the relationships between spaces and perimeters maximise activation, visibility, clarity, activity and opportunities for passive surveillance.	As above.	As per Scenario 1.
7. Contributing positively to the physical and mental health and wellbeing of local users and visitors, enhancing opportunities for physical activity, social interaction and access to healthy food.	As above.	As per Scenario 1.
Objective 5 - Better working - functional, efficient and fit for purpose		
1. Accommodating and responding to people's daily needs and amenity, including activities, use requirements and movement patterns in the urban environment.	The subject site is well located in walking distance to the commercial core, waterfront and immediately adjoins the Civic Precinct, which will include a range of community facilities.	The subject site is well located in walking distance to the commercial core, waterfront and immediately adjoins the Civic Precinct, which will include a range of community facilities. Further, a mixed use zone will incorporate additional commercial and retail land uses.
2. Supporting a range of diverse uses which activate places day and night, inside and outside, by overlapping or extending the times of use by different groups.	The proposal is for a higher density residential development, which will provide additional residential accommodation to support the adjoining and surrounding retail, commercial and community land uses and thereby activating the area during the day and evening.	The mixed use proposal would provide a range of land uses including retail, commercial and residential uses and thereby activating the area during the day and evening.

URBAN DESIGN ANALYSIS CONT.

Evaluating Good Design Cont.

Table 9 - NSW Evaluating Good Design Response cont.

Objective	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
3. Supporting housing and commercial activity at higher densities close to local shops, services and public transport, minimising travel distances and providing easy access to services.	The proposal incorporates higher density residential in an area close to shops and services minimising the travel distance for the residents and visitors.	The proposal incorporates higher density residential in an area close to shops and services minimising the travel distance for the residents and visitors. Additional retail and commercial services as part of the mixed use would also provide facilities for residents and visitors onsite and within the surrounding area.
4. Accommodating an appropriate range of social and community activities by providing flexible spaces that are adaptable as future circumstances change.	Objective would be considered as part of the detailed design of the development and noting that a number of community and social activities would be provided on the adjoining Civic Centre Precinct.	As per scenario 1.
5. Ensuring spatial layouts are accessible, legible and easily navigable.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
6. Ensuring spatial layouts are flexible to accommodate potential future changes in use, responding to future requirements and movement patterns.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
7. Ensuring spaces are appropriately sized to accommodate activity while maintaining movement paths.	Objective would be considered as part of the detailed design of the development and noting that the development site is large and would be able to accommodate these objectives.	As per scenario 1.
Objective 6 - Better value - creating and adding value		
1. Accommodating a range of economic, small business and entrepreneurial opportunities in local areas and ensuring they are well connected and accessible.	A higher density residential development would provide additional occupants to support the surrounding businesses. Occupants would also be able to work from home.	A mixed use development would accommodate a range of uses supporting the occupants of the development and the surrounding area.
2. Facilitating the enjoyment of public space by all people, including active and passive occupants (pedestrians, consumers, onlookers and visitors).	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
3. Providing or supporting a range of housing, uses and urban density to encourage accessibility, diversity, affordability and leverage efficiencies of access to services and public transport.	The higher density residential proposal would provide a range of housing in close proximity to services.	The mixed use incorporates residential development. A higher density of residential development would provide a range of housing in close proximity to services being located on site and within the surrounding area.
4. Developing built elements and surfaces that are resilient and durable while reflecting quality and permanence, ensuring visual and functional quality over time.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
5. Taking a whole-of-life approach when considering cost, and considering wider public benefits over time.	The existing site currently incorporates older building stock. Permitting a higher density development provides further incentive for the redevelopment of the site and provides wider public benefit.	As per scenario 1.
6. Considering ongoing maintenance costs such as cleaning, vegetation, water and energy use.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
7. Facilitating and encouraging social interaction in buildings and spaces, while also making appropriate provision for privacy and seclusion.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.

URBAN DESIGN ANALYSIS CONT.

Evaluating Good Design Cont.

Table 10 - NSW Evaluating Good Design Response cont.

Objective	Scenario 1 - R4 High Density Residential	Scenario 2 - B4 Mixed Use
8. Delivering ongoing public value through new or enhanced public spaces and interfaces with the public realm, with the flexibility to respond to changing usage patterns and functional needs over time.	Development of the site for a higher density development provides an opportunity for new buildings and spaces to address the interface with the public realm.	Development of the site for a higher density development including retail and commercial land uses provides an opportunity for the development to improve the public realm.
9. Allowing for future adaptation to accommodate demographic changes, new patterns of use and the integration of new technologies		
10. Demonstrating inventiveness and innovation in design.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
Objective 7 - Better look and feel - engaging, inviting and attractive.		
1. Demonstrating a clear aesthetic intent.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
2. Creating engaging and attractive environments.	Development of the site for a higher density development would increase and improve the type of housing and create an attractive streetscape. The increased density would assist in additional interaction between the future land uses.	Development of the site for a higher density development would increase and improve the type of buildings, open space and create an attractive streetscape. The increased density and range of land uses would assist in additional interaction between the future land uses on the site and surrounding the site.
3. Creating a series of connected and distinct places that contribute to the interest and legibility of the built environment.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
4. Establishing appropriate, visually appealing built form in terms of scale, proportions, location and the configuration of buildings and spaces.	Development controls will assist in terms of the configuration and location of the buildings. The proposal in regards to scale and height have been determined in regards to the surrounding future development and is considered to be appropriate and complementary.	Development controls will assist in terms of the configuration and location of the buildings. The proposal in regards to scale and height have been determined in regards to the surrounding future development and is considered to be appropriate and complementary.
5. Integrating landscape design and service elements with the building design to create welcoming and interesting places.	The site is of a size that would be able to create interesting building and landscape design.	As per scenario 1.
6. Achieving a purposeful composition of materials and elements including colours, textures, finishes, light and detailing.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
7. Thoughtfully integrating public art.	Objective would be considered as part of the detailed design of the development.	As per scenario 1.
8. Developing active street frontages and an engaging environment for pedestrians, visually and materially, by minimising blank facades at street level to positively contribute to the public realm.	The development of the site has the opportunity to develop an active street frontage on Lake and Macintosh Streets.	As per scenario 1.
9. Reflecting a commitment to and investment in design excellence.	Development of the whole site for a more intensive use would reflect a commitment and investment in the design for the area.	As per scenario 1.

7.0 DISCUSSION

The subject site's central location within close proximity to the Forster commercial core, the waterfront and the adjoining Civic Precinct and along two significant transport corridors emphasises its importance as a key development site for Forster. Further, Lake Street is identified as a key pedestrian street linking the southern part of the CBD to the waterfront, commercial core and the beach.

Planning for this part of Forster has changed since the master planning undertaken in 2008/2009 and the implementation of the Great Lakes LEP and DCP. The relocation of the Civic Precinct to the corner of Lake and West Streets provides an opportunity for more intensive development within this immediate area just south of the Forster commercial core and adjoining the Civic Precinct.

The Civic Precinct incorporates a mixed use zone that will provide a range of community facilities, retail and commercial floorspace and residential and tourist accommodation. The height and FSR have been increased to support the more intensive land uses.

For both scenarios, the proposed building heights and floor space controls are generally similar to controls for land opposite to the north and will integrate with the planned future urban form for the area.

There are no significant negative impacts identified for the surrounding areas for either scenario with regard to visual impacts. Further, the development of this site would have beneficial impacts by complementing the Civic Precinct and an opportunity to invigorate the area and improve aesthetics as outlined in the Good Design guidelines by the NSW Government Architect.

Development at the corner of Lake and Macintosh Streets is also a key consideration due to its strategic location.

The following provides a discussion on the benefits for each scenario.

Scenario 1 - R4 High Density Residential

- Site is adjacent to the future Civic Precinct as approved by the Department of Planning and Council.
- As the adjacent site now incorporates the Civic Precinct, which will be a landmark site, taller buildings are considered to be justified to assist in creating a stronger presence and contributing to Forster's legibility.
- An increase in height for the site meets the height objectives under the Great Lakes LEP in that the scale of the proposed buildings is compatible with the desired future urban character of the locality as shown on the indicative built form massing model.
- The proposed maximum building height represents an increase over the maximum building height as set out in the current Great Lakes LEP. However, this is comparable to the maximum heights in the R4 High Density Residential zone north of Lake Street.
- An increase in the FSR for the subject site is proposed to meet the FSR objectives under the Great Lakes LEP in that it is compatible with the desired future urban character of the locality.
- The proposed FSR is to be 3:1 to match the FSR in the adjoining site for the Forster Civic Centre to the west. However it is difficult to achieve an FSR close to the proposed FSR due to controls covering HOB, building bulk, building separation and solar access.
- Some overshadowing on land to the south and south east on 21 June, however most properties will receive a minimum of three hours solar access. This would be subject to further detailed design for the built form.
- Visual impact would be minimal for the increase in height and FSR due to the proposed future urban character of the area.
- It is recommended that ground floor space for this proposal be designated for retail/commercial floorspace at the frontage on the corner of Macintosh and Lake Streets due to the prominence of this intersection to activate this space.

Scenario 2 - B4 Mixed Use

- Site is adjacent to the future Civic Precinct as approved by the Department of Planning and Council.
- As the adjacent site now incorporates the Civic Precinct, which will be a landmark site, taller buildings are considered to be justified to assist in creating a stronger presence and contributing to Forster's legibility.
- Incorporation of mix of land uses will have benefits to the urban structure and form of the area.
- Incorporation of mixed land uses will strengthen Lake Street as a civic centre precinct, its character and potentially complement and support the uses in the Forster commercial core.
- Mixed use zoning could provide a broader range of uses that will benefit the public more than scenario 1 and assist in creating a better place as defined in the evaluation of good design.
- An analysis on the amount of commercial / retail floor space would be required to ensure that there would not be an oversupply, however this needs to be considered for a long term scenario.
- An increase in height for the site meets the height objectives under the Great Lakes LEP in that the scale of the proposed buildings is compatible with the desired future urban character of the locality as shown on the indicative built form massing model.
- Some overshadowing on land to the south and south east on 21 June, however most properties will receive a minimum of three hours solar access. This would be subject to further detailed design for the built form.
- Visual impact would be minimal for the increase in height and FSR due to the proposed future urban character of the area.
- The proposed controls covering HOB, building bulk, building separation and solar access make it impossible to achieve an FSR close to the proposed maximum of 3:1. It is therefore suggested consideration be given to increase the HOB to allow extra floors, and/or increase to the allowable building bulk.

Summary

Reasoning the subject site to R4 High Density Residential is preferred over rezoning to B4 Mixed Use for the following reasons:

- It allows a greater height of building at 30m. This more closely relates to the building height of the approved Forster Civic Precinct adjacent to the west of the site and existing allowable building heights north of Lake Street.
- Street activation can be achieved by the inclusion of cafes, restaurants, shops, recreation facilities (indoor) at ground floor (as permitted in the Great Lakes LEP 2014) especially on the corner of Macintosh Street and Lake Street.
- The FSR is closer to the allowable maximum of 3:1.
- Whilst scenario 2 - B4 Mix Use can provide a wider range of retail and commercial uses, the quantity of these uses may surpass the foreseeable demand.

It is recommended that a site specific DCP or master plan be prepared to better maximise FSR and height of building and still meet the urban design objectives.

8.0 REFERENCES

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APPENDIX 1 - ALTERNATIVE BUILDING MASSING MODELS

High rise concept design option alternatives

