



Boomerang Park Planning Proposal

Proposed amendment to Port Stephens Local Environmental Plan 2013

Rezoning and Reclassification of land in Boomerang
Park, Lot 1 DP 1018979, 17E Irrawang Street,
Raymond Terrace



FILE NUMBERS

Council: PSC2015-01301

Department: To be provided at Gateway Determination

SUMMARY

Subject land: Land within Boomerang Park, Part Lot 1 DP 1018979, 17E Irrawang Street, Raymond Terrace

Proponent: Port Stephens Council (Facilities & Services Group)

Proposed changes:

- Rezone 4.5ha of Boomerang Park from RE1 Public Recreation to R2 Low Density Residential Zone
- Reclassify 4.5ha of Boomerang Park from 'Community' to 'Operational' Land

Area of land: 4.5 hectares (the total area of the park is 21.6 hectares)

Lot yield: Approximately 46 lots

BACKGROUND

The Planning Proposal seeks to reclassify part of Council owned land within Boomerang Park from 'community' land to 'operational' land pursuant to Clause 30 of the NSW Local Government Act 1993, and rezone the land from RE1 Public Recreation to R2 Low Density Residential under the Port Stephens Local Environmental Plan 2013 (PSLEP 2013) to allow the land to be developed for residential purposes.

The rezoning and reclassification has resulted from a resolution by Port Stephens Council on 25 November 2014 to adopt the Boomerang Park Masterplan and rezone and reclassify 4.5ha of the park to enable future residential development as identified in the Masterplan. It is Council's intention to sell the land as a funding stream for the proposed upgrades to Boomerang Park.

The proposal seeks to accommodate residential development on land within close proximity to existing services at Raymond Terrace. The proponent has advised that the land is underutilised recreational land and is no longer required for its current use. In accordance with the NSW Department of Planning and Environment, which recommends a standard of 2.83 hectares of

open space per 1000 residents, there is sufficient public open space within the Raymond Terrace Planning District, even with the proposed removal of 4.5ha at Boomerang Park. Currently, there is 16.9 hectares/1000 residents which will be reduced to 16.6 hectares/1000 residents should the planning proposal proceed.

As identified in this planning proposal, the following additional investigations will be required post Department of Planning gateway determination, including:

- Preliminary contamination assessment in accordance with SEPP 55
- Additional heritage considerations
- Threatened species assessment

It is considered that the planning proposal has sufficient merit to proceed to gateway on the basis that the additional information will be submitted post-gateway. The planning proposal will not be exhibited until the additional information is provided.

SITE

Boomerang Park, Raymond Terrace is a 21.6 hectare area of public open space (recreation reserve) used for passive recreation. The park is located close to the Raymond Terrace Town Centre and is bounded by Kangaroo Street, Irrawang Street and Elizabeth Avenue.

Following the preparation of a survey for the township of Raymond Terrace, a large park was incorporated and dedicated as a Public Reserve in 1837. This reserve was subsequently rededicated in September 1892 as a Recreation Reserve. The reserve became known as "Boomerang Park" in 1914.

Boomerang Park currently accommodates the Raymond Terrace Senior Citizens Centre, the Raymond Terrace Before and After School Care (both fronting Irrawang Street) the Port Stephens All Breeds Dog Obedience Canine Club (fronting Kangaroo Street) and public amenities. A water tower is located in the centre of the park, on land owned by the Hunter Water Corporation. These uses are not within the area of the park proposed for residential development and will not be impacted by the proposal.

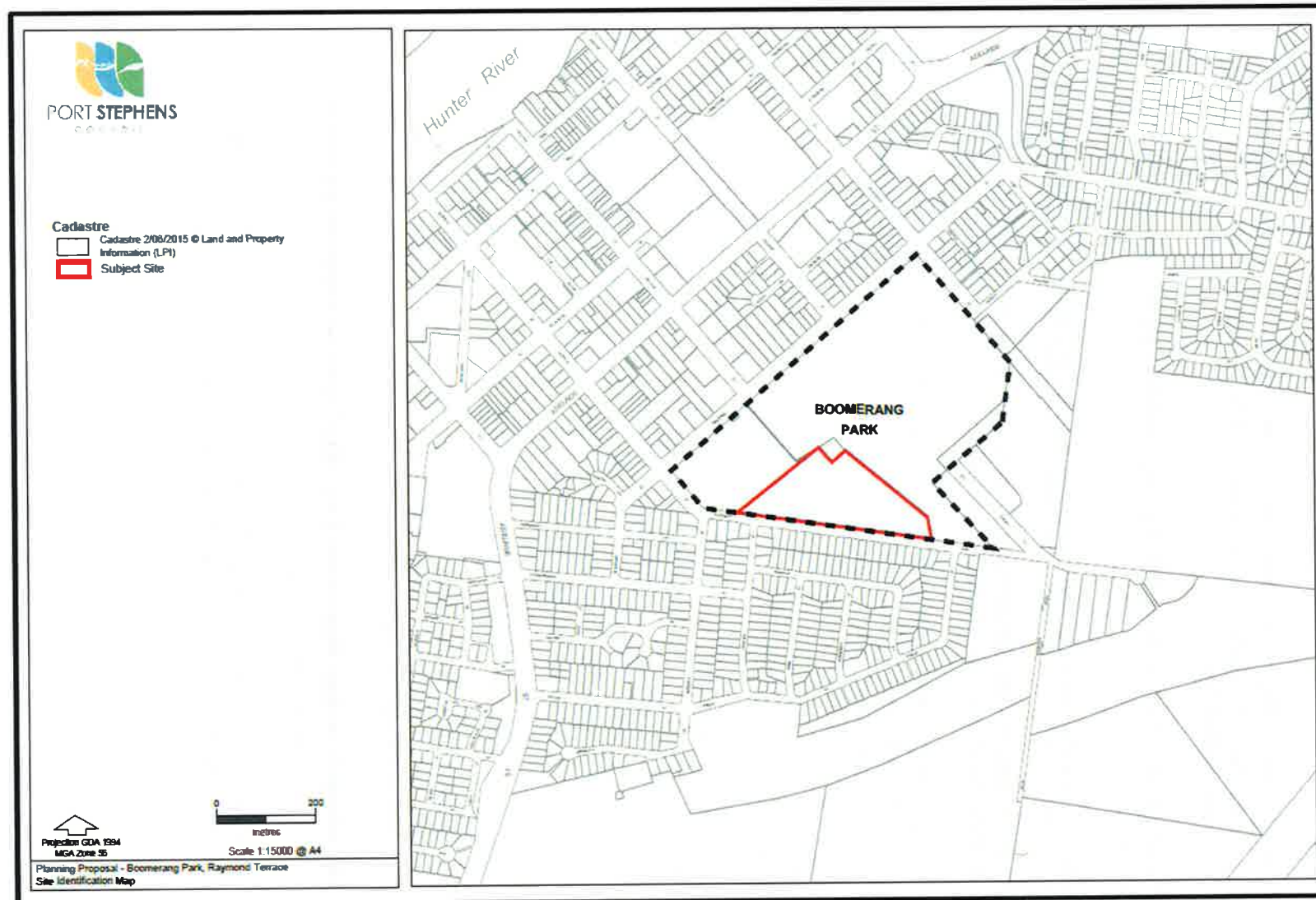
Boomerang Park, including the former stone quarry and mature tree planting, is listed under Schedule 5 of the PSLEP 2013 as an item of Environmental Heritage.

The part of the park proposed to be rezoned and reclassified (the site) has an area of 4.5 hectares and is of a triangular configuration (**FIGURE 1** shows the site). The site is predominately grassed and contains a small number of mature trees. The site is bounded by parkland to the west, mature trees to the northeast, by an historic (heritage listed) cemetery to the east and fronts Elizabeth Avenue to the South. On the opposite side of Elizabeth Avenue, is

an established residential area zoned R2 Low Density Residential. The proposed rezoning is a logical expansion of this adjoining zone. The site is not identified as flood prone land, and is not affected by mine subsidence. However, the site is identified as Bushfire Prone Land.

Figure 1– Boomerang Park (page 4) identifies the subject land within Boomerang Park

FIGURE 1 – Boomerang Park (land subject to Planning Proposal is shown in red)



PART 1 – Objective of the proposed Local Environmental Plan

The Planning Proposal seeks to achieve the following outcomes:

- Reclassify the subject site from 'Community' to 'Operational' land
- Rezone the subject site from RE1 Public Recreation to R2 Low Density Residential Zone

The proposal will allow the site to be sold and developed for residential purposes.

PART 2 – Explanation of the provisions to be included in proposed LEP

The objectives of this planning proposal will be achieved by the following amendments to the Port Stephens Local Environmental Plan 2013:

- inserting the following into Schedule 4 - Classification and reclassification of public land, Part 2 – Land classified, or reclassified, as operational land – interests changed of the Port Stephens Local Environmental Plan 2013:

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Raymond Terrace (Boomerang Park)	Part of Lot 1 DP 1018979, (17E Irrawang Street, Raymond Terrace as shown edged heavy red on the map marked Port Stephens Local Environmental Plan 2013 – Land Reclassification Map RPL_002C at Attachment One)	Nil

- Amend Land Zoning Map Sheet LZN_002C for part of Lot 1 DP 1018979 from RE1 Public Recreation to R2 Low Density Residential in **(Attachment Three)**
- Amend Lot Size Map Sheet LSZ_002C from no minimum lot size to 500m² **(Attachment Five)**
- Amend Height of Building Map Sheet HOB_002C – from no maximum building height to 9 metres **(Attachment Seven)**

PART 3 – Justification for the Planning Proposal

SECTION A – Need for the Planning Proposal

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

The Planning Proposal is the result of a resolution by Port Stephens Council on 25 November 2014 to adopt the Boomerang Park Master Plan and rezone and reclassify 4.5 hectares of the park to enable future residential development.

The Planning Proposal will enable residential development to occur in a location that is close to existing infrastructure and services. The proposal will provide infill housing opportunities in accordance with the Port Stephens Planning Strategy and the Lower Hunter Regional Strategy.

Upon the land being rezoned and reclassified, it is Council's intention to sell the land in order to provide a funding stream to enable the upgrade of Boomerang Park in accordance with the adopted Masterplan.

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

This planning proposal is the only means to amend the Port Stephens Local Environmental Plan 2013 to rezone the subject site.

An amendment to the Port Stephens LEP 2013, via this planning proposal, is the only way to reclassify the subject land.

Is there a community benefit?

The planning proposal and future development of 4.5 hectares of Boomerang Park could provide significant social benefits, such as opportunities to provide a diversity of dwelling stock that would respond to housing affordability in Raymond Terrace.

However, during the preparation of the Boomerang Park Masterplan, significant concern and opposition to the rezoning was raised. It is therefore important that any future development demonstrates a genuine and transparent objective to consult with the community on the proposal and design of public open space in order to alleviate community concerns and gain support for the project.

A Social Impact Assessment, including a response to achieving housing affordability, will be required at the development application stage.

SECTION B – Relationship to Strategic Planning Framework

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

Lower Hunter Regional Strategy

The Lower Hunter Regional Strategy identifies Raymond Terrace as a Major Regional Centre and projects 300 new dwellings in Raymond Terrace through infill development.

A key component of the LHRS is ensuring that most new development is located in close proximity to major centres and employment lands, maximising access to services and employment opportunities.

The planning proposal is consistent with the Strategy as it will contribute to achieving the projected infill dwelling projections set for Raymond Terrace in an area that is close to employment opportunities and services.

The Lower Hunter over the next 20 years: A Discussion Paper

The Lower Hunter over the next 20 years: A Discussion Paper aims to facilitate discussion to feed into the development of a new Lower Hunter Regional Strategy. This Discussion Paper provides guiding planning principles for the Lower Hunter; such as, providing a diversity of housing choices for different budgets and lifestyles. This planning proposal is considered to be consistent with those applicable planning principles listed in this Paper as a diverse range of housing types are permitted in the R2 Low Density Zone.

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

Integrated Strategic Plan (Port Stephens 2022)

The proposal is consistent with Council's Integrated Strategic Plan (Port Stephens 2022) which states that Council should provide for a range of lot sizes and housing types to respond to demographic needs and affordability. The proposal will potentially add approximately 40 lots to the residential stock in Raymond Terrace.

Port Stephens Planning Strategy (PSPS)

The Planning Proposal is consistent with the directions adopted by the PSPS. The PSPS identifies Raymond Terrace as a Regional Centre that serves the needs of the wider LGA. It is an area of projected population growth, from 13,346 people in 2009 to 21,380 people in 2031. The Strategy identifies potential growth by infill development in the area encompassing Raymond Terrace – Heatherbrae – Nelsons Plains of 800 dwellings during the period 2011 – 2036. The proposed reclassification and rezoning will therefore provide infill residential development opportunities in accordance with the Strategy.

Boomerang Park Plan of Management

The Boomerang Park Plan of Management was adopted in November 2000. The POM provides a framework to enable decisions in regards to the site to be made on a consistent and equitable basis.

The vision for Boomerang Park, as outlined in the POM, is as follows:

"To provide public open space that enables a wide range of recreational, cultural, conservational, educational and community based activities to be undertaken in a manner that adds to the scenic and social attributes of the Raymond Terrace planning district".

The Boomerang Park Masterplan seeks to facilitate the provision of new infrastructure and facilities that will contribute to the ongoing development, improvement and increased use of the park, in accordance with the vision.

The Boomerang Park Plan of Management will need to be updated to reflect the changes to Boomerang Park. The POM would cease to apply to the site as POMs do not apply to operational land.

Boomerang Park Masterplan

The Boomerang Park Masterplan was adopted by Council on 25 November 2014 and sets the proposed layout and form of the park and facilities. It seeks to enable greater community use and enjoyment of the park by expanding the opportunities for formal and informal use, at a range of scales.

The Masterplan also identifies three parcels of land within the Park that are proposed to be further investigated for future reclassification and rezoning. One of the identified parcels is the subject of this planning proposal. The planning proposal is consistent with Council's resolution of 25 November 2014.

Draft Raymond Terrace & Heatherbrae Strategy 2015-2031

The draft Raymond Terrace & Heatherbrae Strategy was endorsed for public exhibition by Council at its meeting on 26 May 2015. The draft Strategy seeks to implement a quantity to quality approach to public open space, which recognises the limited operating budgets of regional Councils and the significant amount of public open space that they are required to maintain. With regards to Boomerang Park, the draft strategy includes the following Action:

Action No. 25 - Implementation of the Boomerang Park Masterplan which includes quality paths, play equipment, etc. This is subject to securing appropriate funding.

The Planning Proposal is consistent with the draft strategy, which is reflective of Council's endorsement of the Boomerang Park Masterplan.

It is noted that the draft Raymond Terrace and Heatherbrae Strategy will be placed on public exhibition in July 2015.

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

There are no existing or draft State Environmental Planning Policies that prohibit or restrict the proposed development as outlined in this planning proposal. An assessment of relevant State Environmental Planning Policies against the planning proposal is provided below.

Table A: Relevant State Environmental Planning Policies

SEPP	Relevance	Consistency and Implications
SEPP 44 – Koala Habitat Protection	This SEPP applies to land across NSW that is greater than 1 hectare and is not a National Park or Forestry Reserve. The SEPP encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.	Consistent – the development of 4.5ha of the park is unlikely to sever corridors or significantly restrict movement and is consistent with Council's Comprehensive Koala Plan of Management.
SEPP 55 – Remediation of Land	This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination.	Consistent – Boomerang Park was dedicated as a Public reserve in 1892 and has not accommodated any potentially contaminated land use since this time. Notwithstanding, in order to satisfy SEPP 55, a preliminary contamination report is required post-Gateway determination.
SEPP Housing for Seniors or people with a Disability 2004	The SEPP aims to encourage provision of housing for seniors, including residential care facilities.	Consistent – the proposed R2 zoning would allow the site to be used for housing for Seniors or people with a disability. The site is located in proximity to existing services and would be suitable for this use, subject to the

		subsequent development application process.
SEPP Infrastructure 2007	Provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	Consistent – the site has sufficient access to existing infrastructure and services without the need for major upgrades.

7. Is the planning proposal consistent with applicable Ministerial Directions?

An assessment of relevant s.117 Directions against the planning proposal is provided in the table below.

Table B: Relevant s.117 Ministerial Directions

Ministerial Direction	Aim of Direction	Consistency and Implications
1. EMPLOYMENT AND RESOURCES		
1.3 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Consistent – The planning proposal does not seek to prohibit resource extraction and is consistent with this Direction.
2. ENVIRONMENT AND HERITAGE		
2.3 Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	Consistent – subject to further investigations post-Gateway. Boomerang Park, including former stone quarry and mature tree planting is listed on Schedule 5 – Environmental Heritage of the PSLEP 2013. Further investigations will be required post-gateway in order to determine the heritage impact of the proposal and includes the

		establishment of curtilage requirements to the former stone quarry and the identification of significant trees for retention, in conjunction with an Arborist report.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	Encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and minimise the impact of residential development on the environment and resource lands.	Consistent – the planning proposal proposes a residential zone which will encourage a variety and choice of housing types and provide for existing and future housing needs, on relatively unconstrained land that is close to existing services and employment opportunities.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low impact small businesses in dwelling houses.	Consistent – Home occupation is permitted without consent in the R2 Zone.
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs subdivision and street layouts achieve the sustainable transport objectives.	Consistent – the site is able to connect to existing services such as utility, transport and communications in a cost effective manner. Minor upgrades of existing infrastructure will be required to cater for the future development.
4. HAZARD AND RISK		
4.1 Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	Consistent – the site is nominated as Class 2 and 3 land in terms of Acid Sulfate Soils. Future development may require Acid Sulfate Soils Management Plan, however it will not impede

		the rezoning and reclassification of the land.
4.2 Mine Subsidence and Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	Consistent – the land is not identified as being subject to mine subsidence.
4.4 Planning for Bushfire Protection	The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, to encourage sound management of bush fire prone areas.	Consistent – the land is identified as Bushfire Prone Land. Consultation with the Rural Fire Service will be required to ensure compliance with relevant bushfire planning provisions and to satisfy the requirements of this Direction.
5. REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	Consistent – Raymond Terrace is identified as a Major Regional Centre in the Lower Hunter Regional Strategy (LHRS). The LHRS sets an infill target of 300 dwellings in Port Stephens and the proposed rezoning and reclassification of the site will contribute towards achieving this target.
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent – the planning proposal does not seek to introduce concurrence, consultation or referral provisions.
6.2 Reserving Land for Public Purposes	The objectives of this direction are to facilitate the provision of public services	Consistent – the planning proposal seeks to rezone and reclassify

	and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	part of 'Boomerang Park', which is currently used for public open space. The proponent has advised that the removal of 4.5ha of open space will have a minimal overall impact on the provision of open space in the Raymond Terrace Planning District. There is currently 16.94ha of open space /1000 residents, and the proposal will reduce this to 16.6ha/1000 residents. This exceeds the NSW Department of Planning and Environment recommendations of 2.83 hectares of open space per 1000 residents.
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SECTION C – Environmental, Social and Economic Impact

8. 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 proposed residential use of the site is unlikely to have a significant impact on the environment.

A preliminary assessment of the ecological values of Boomerang Park and potential impacts of the proposed reclassification and rezoning has been undertaken. The area proposed to be developed for residential purposes is predominately cleared of vegetation, although approximately 86 native and exotic trees would potentially be removed, with some minor impacts expected to a number of threatened species and their habitats.

There is sufficient habitat for a range of native plant and animal species to be maintained or enhanced within Boomerang Park, provided that it is managed in accordance with the adopted Masterplan. Overall, the proposed residential development is considered to have relatively minor ecological impacts and to be of low risk to the values the park or adjacent areas, however these initial assumptions should be further examined through additional ecological surveys and assessments.

It is considered that the preliminary ecological investigations provide a sufficient level of detail for a gateway determination to be made. However, should the planning proposal be supported by the gateway, further ecological investigations will be required to more accurately determine the ecological impacts of the planning proposal.

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

Heritage

Boomerang Park, including the former stone quarry and mature tree planting, is listed under Schedule 5 of the PSLEP 2013 as an item of Environmental Heritage. Further investigations, post-Gateway, are required and include the establishment of curtilage requirements to the former stone quarry and identification of significant trees for retention, in conjunction with an Arborist report.

An Aboriginal Heritage Information Management Systems web service search was undertaken over the subject land. No Aboriginal sites or places have been recorded in or near the subject land. Consultation with the Worimi Local Aboriginal Land Council will be undertaken following a gateway determination.

It is considered that there is sufficient justification for the planning proposal to proceed to gateway on the basis that the additional information will be submitted post-gateway. The planning proposal will not be exhibited until the additional information is provided.

10. Has the planning proposal adequately addressed any social and economic effects?

While the proposal has merit to increase the availability of housing diversity in Raymond Terrace, a Social Impact Assessment will be required at the development application stage to address the impact of additional population on the provision of existing services, infrastructure and community facilities.

SECTION D – State and Commonwealth interests

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

Yes.

The traffic and transport study indicates that the proposal will have a minimal impact on the existing road network. Footpaths will be required along Elizabeth Avenue to connect the site to the Town Centre and encourage walking. These footpaths need to be of a sufficient width to cater for people with a disability, the elderly and parents with young children. Bus facilities are available on Elizabeth Avenue.

A new drainage system will need to be constructed from Elizabeth Avenue to Phillips Street via Charles Street, and shall include a Stormwater Treatment device installed to remove potential pollutants generated by the development.

The Raymond Terrace Planning District has a total of 240.784 hectares of open space which equates to 16.94 hectares per 1000 residents. NSW Planning and Environment recommends a standard of 2.83 hectares per 1000 residents. Therefore, within the Raymond Terrace Planning District there is a sufficient amount of open space, even with the proposed reduction of 4.5 hectares, which will result in there being 16.6 ha/1000 residents.

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

Consultation with relevant State and Commonwealth Agencies will be undertaken following a Gateway Determination. It is envisaged that the following agencies will be consulted with:

- *Hunter Water Corporation* to clarify the impact and status of the Water Tower
- *Rural Fire Service* to ensure that the proposal meets bushfire planning provisions
- *Office of Environment and Heritage*
- *Worimi Local Aboriginal Land Council*

Part 4 - Mapping

The proposed map layer amendments are included as attachments to the planning proposal as follows:

Attachment One – Land Reclassification (part lot) Map

Attachment Three – Proposed Zoning Map – Map Amendment to Land Zoning Map – Sheet LZN_002C from RE1 Public recreation to R2 Low Density Residential

Attachment Five – Proposed Lot Size Plan – Map amendment to Lot Size Map – Sheet LSZ_002C from no minimum lot size to 500m²

Attachment Seven – Proposed Height of Building Map – Sheet HOB _ 002C – from no maximum building height to 9 metres

Part 5 - Details of Community Consultation

Community consultation will be undertaken in accordance with the gateway determination. However, given the community's concern about the proposal, Council intends to undertake additional community consultation to that required by the 'Gateway', including information session/s and media releases.

Notice of the public exhibition period will be placed in the local newspaper, The Examiner. The exhibition material will be on display at the following locations during normal business hours:

- Council's Administration Building 116 Adelaide Street, Raymond Terrace
- Raymond Terrace Library, Port Stephens Street, Raymond Terrace
- Tomaree Library, Town Centre Circuit, Salamander Bay
- Medowie Community Centre, Cnr of Medowie and Ferodale Streets, Medowie

The planning proposal will also be available on Council's website.

In accordance with the Local Government Act – a Public Hearing is required for the reclassification of the site and will take place following the exhibition period, as legislated.

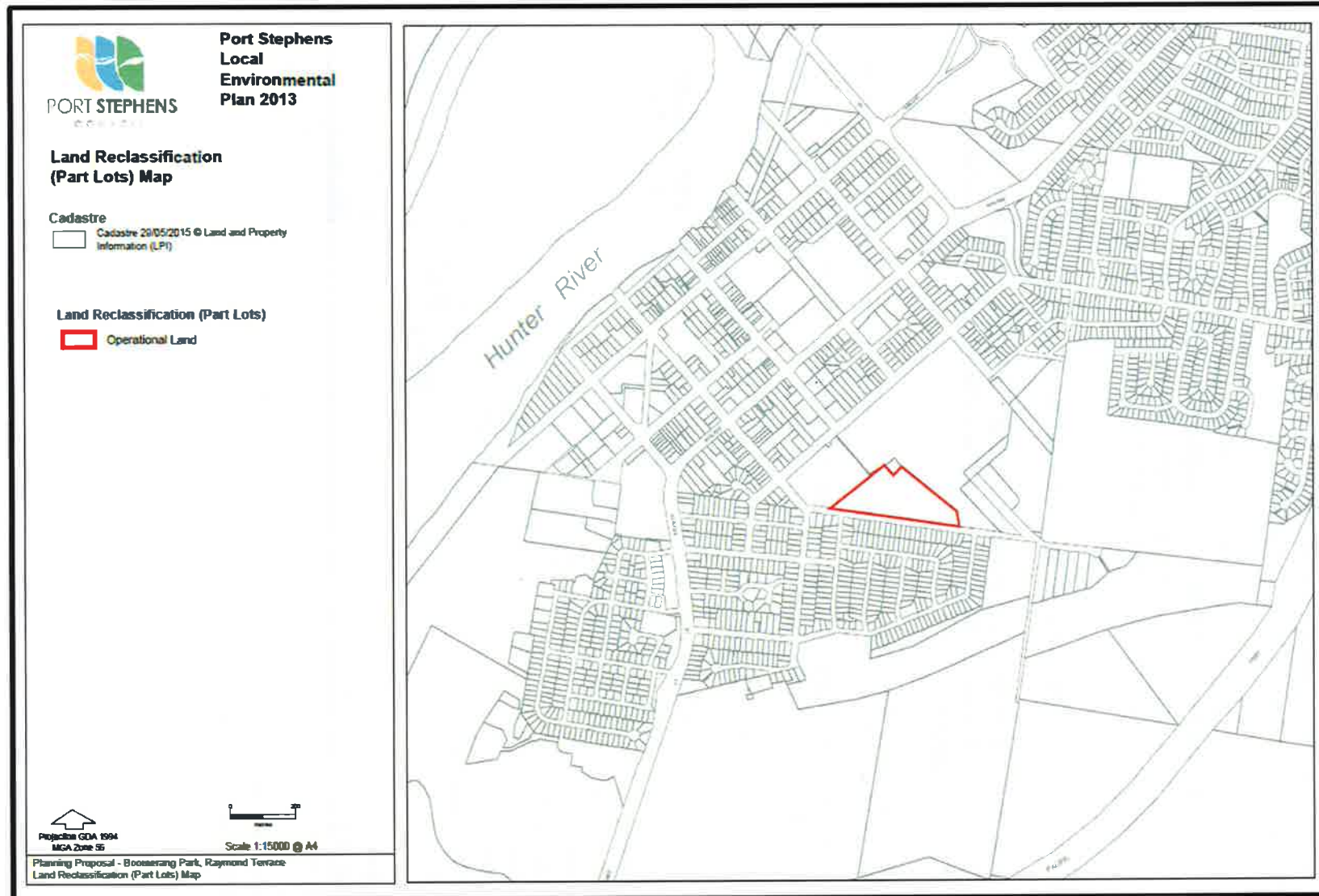
Part 6 – Project timeline

The planning proposal is expected to be reported to Council following the completion of the public exhibition period.

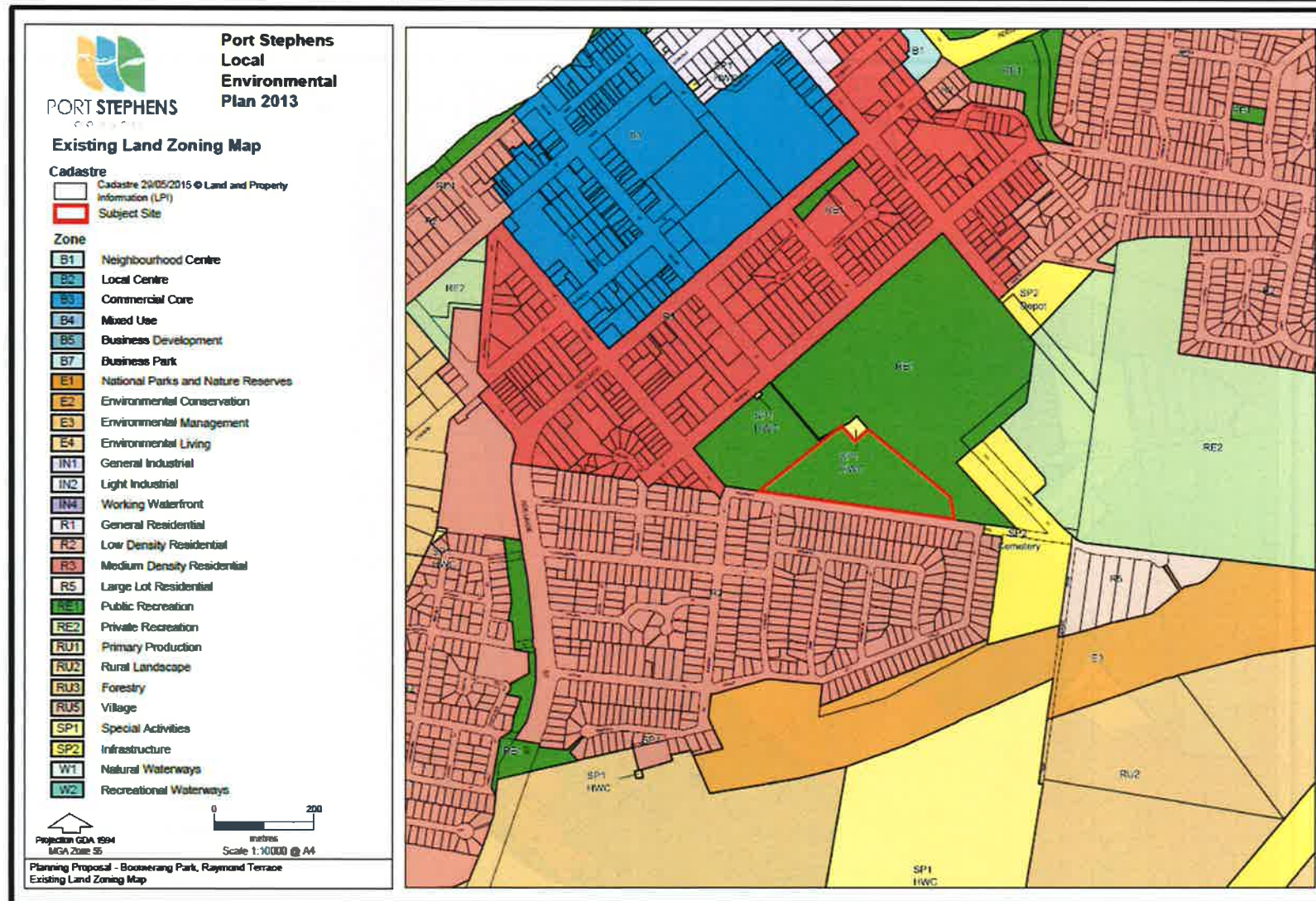
The following timetable is proposed:

	AUG 15	SEPT 15	OCT 15	NOV 15	DEC 15	JAN 15	FEB 15	MAR 15
Gateway Determination								
Agency Consultation								
Public Exhibition								
Notification of Public Hearing								
Public Hearing								
Council Report								
Parliamentary Counsel								

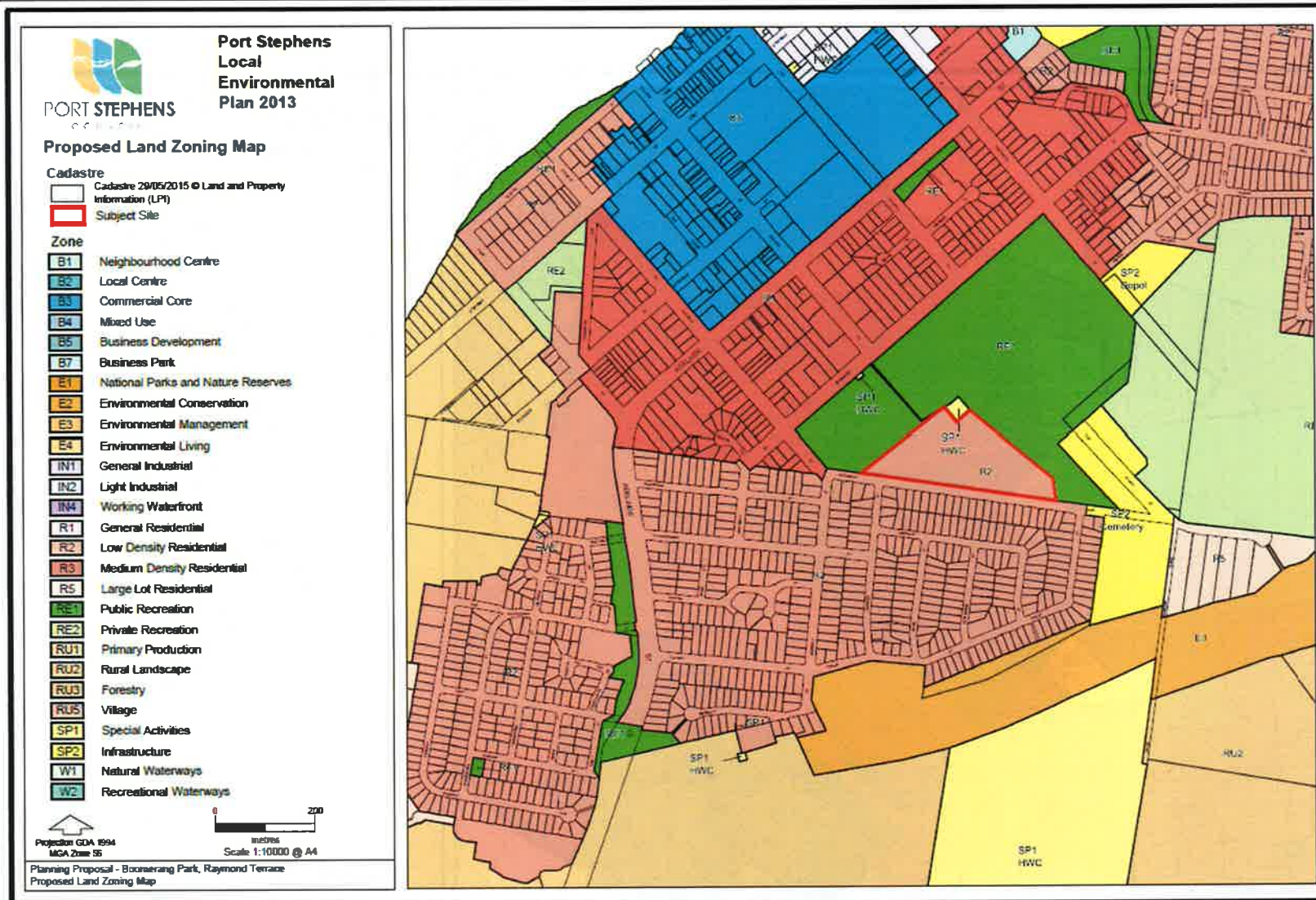
Attachment One – Land Reclassification (part lot) Map



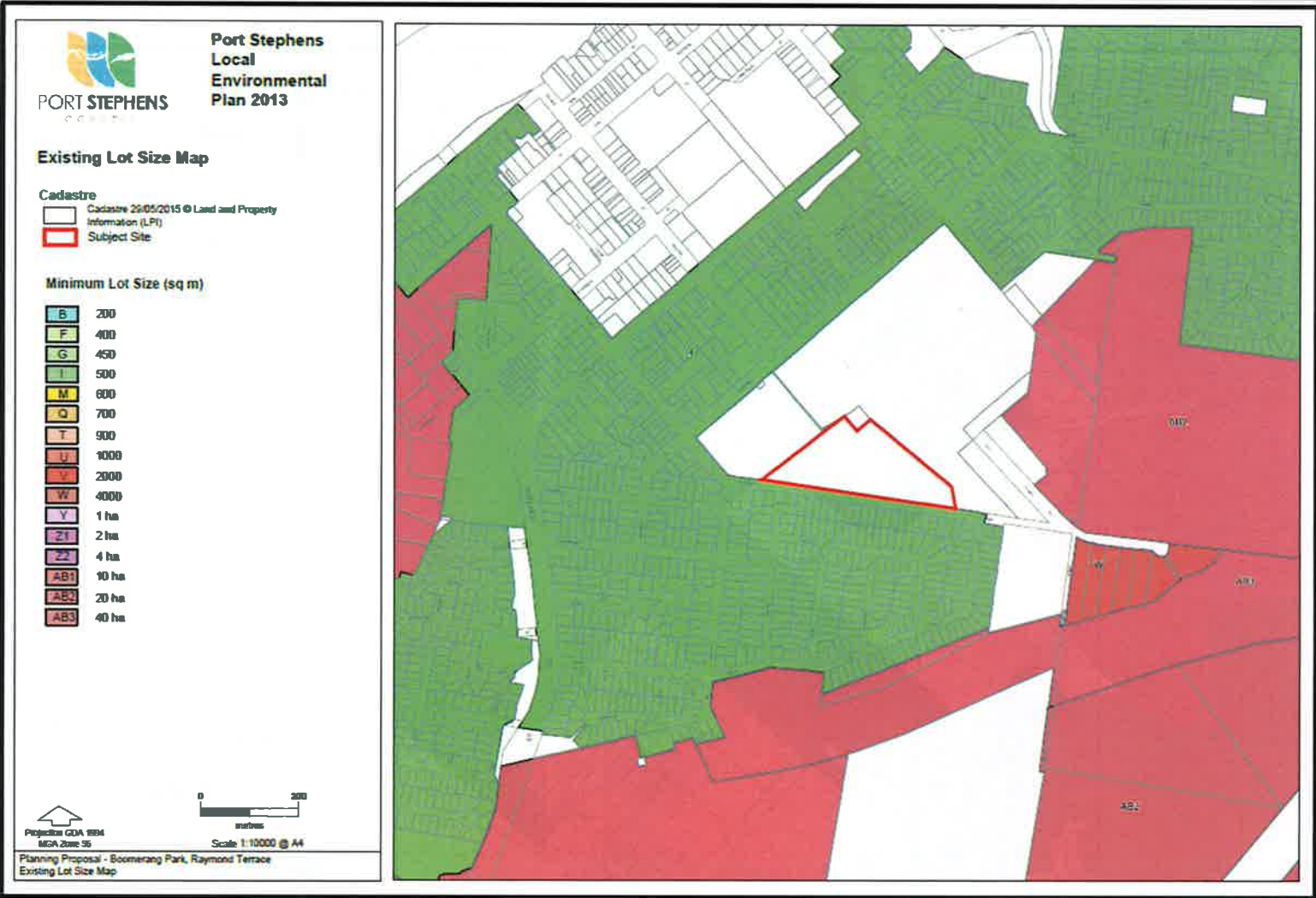
Attachment Two – Current Zoning Map



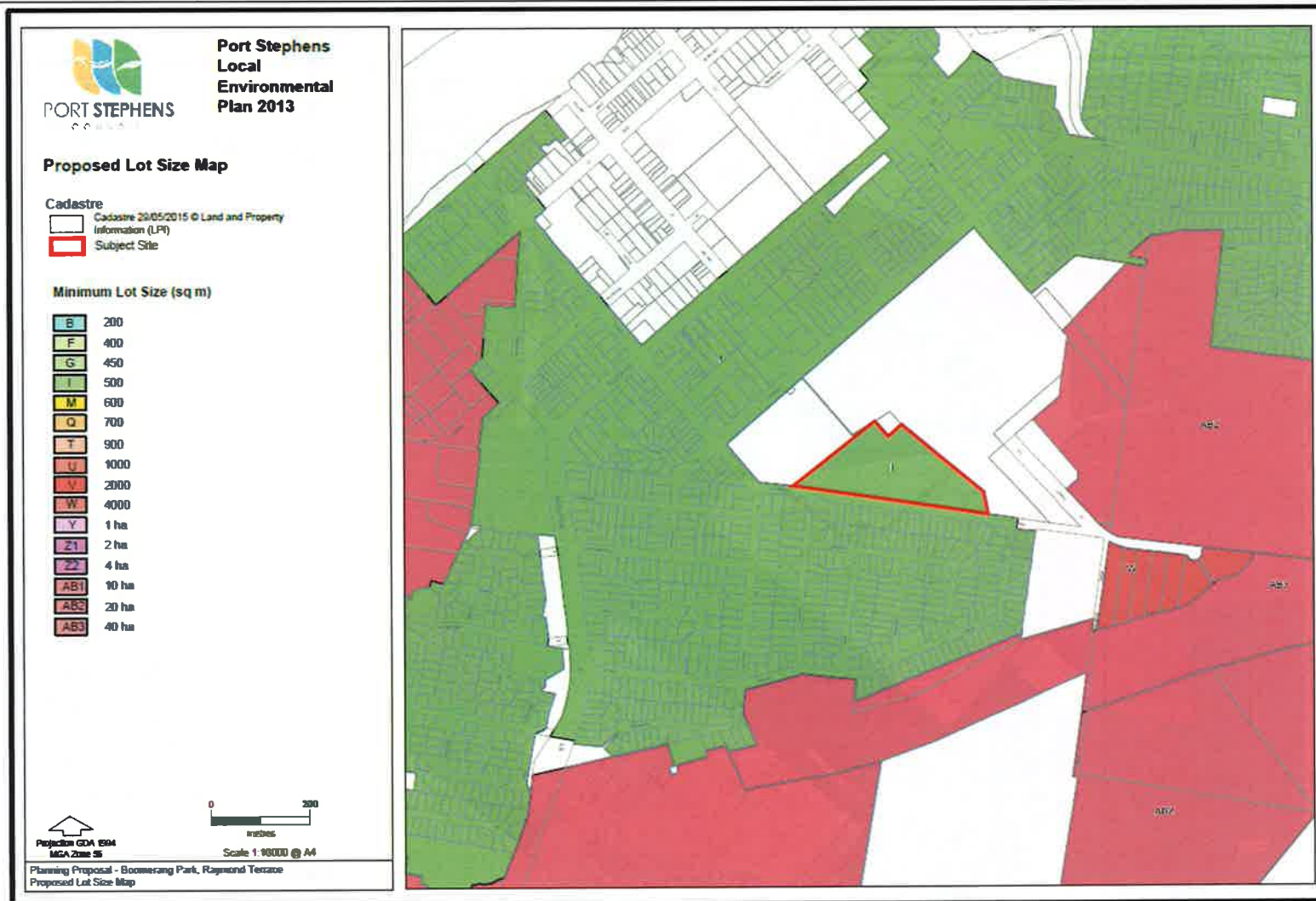
Attachment Three – Proposed Zoning Map



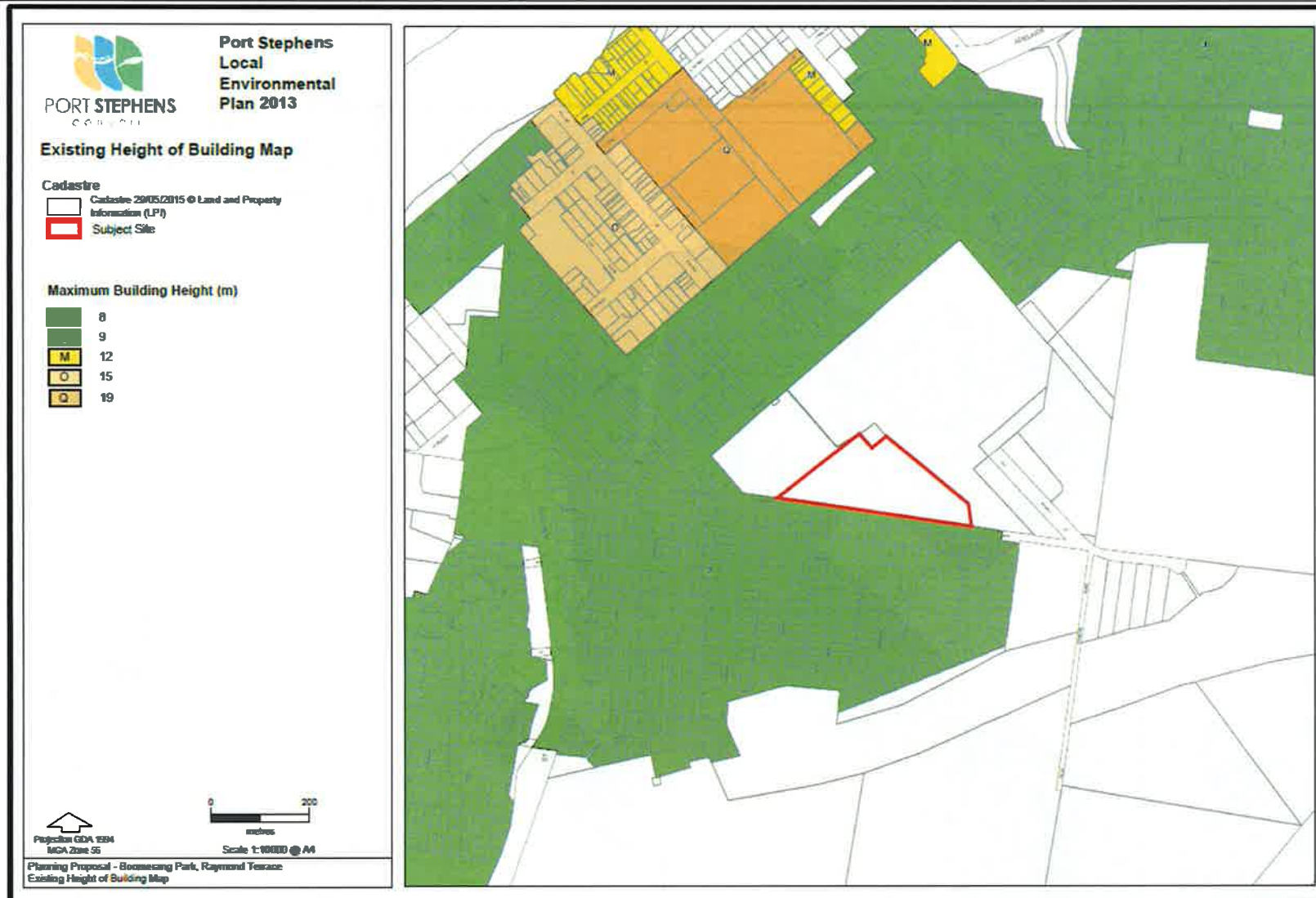
Attachment Four – Existing Lot Size Map



Attachment Five – Proposed Lot Size Map



Attachment Six – Existing Height of Buildings Map



Attachment Seven – Proposed Height of Buildings Map



Attachment Eight – Statement of Council's Interest – Reclassification of Land Part Lot 1 DP 1018979, 17E Irrawang Street, Raymond Terrace (Boomerang Park)

Introduction

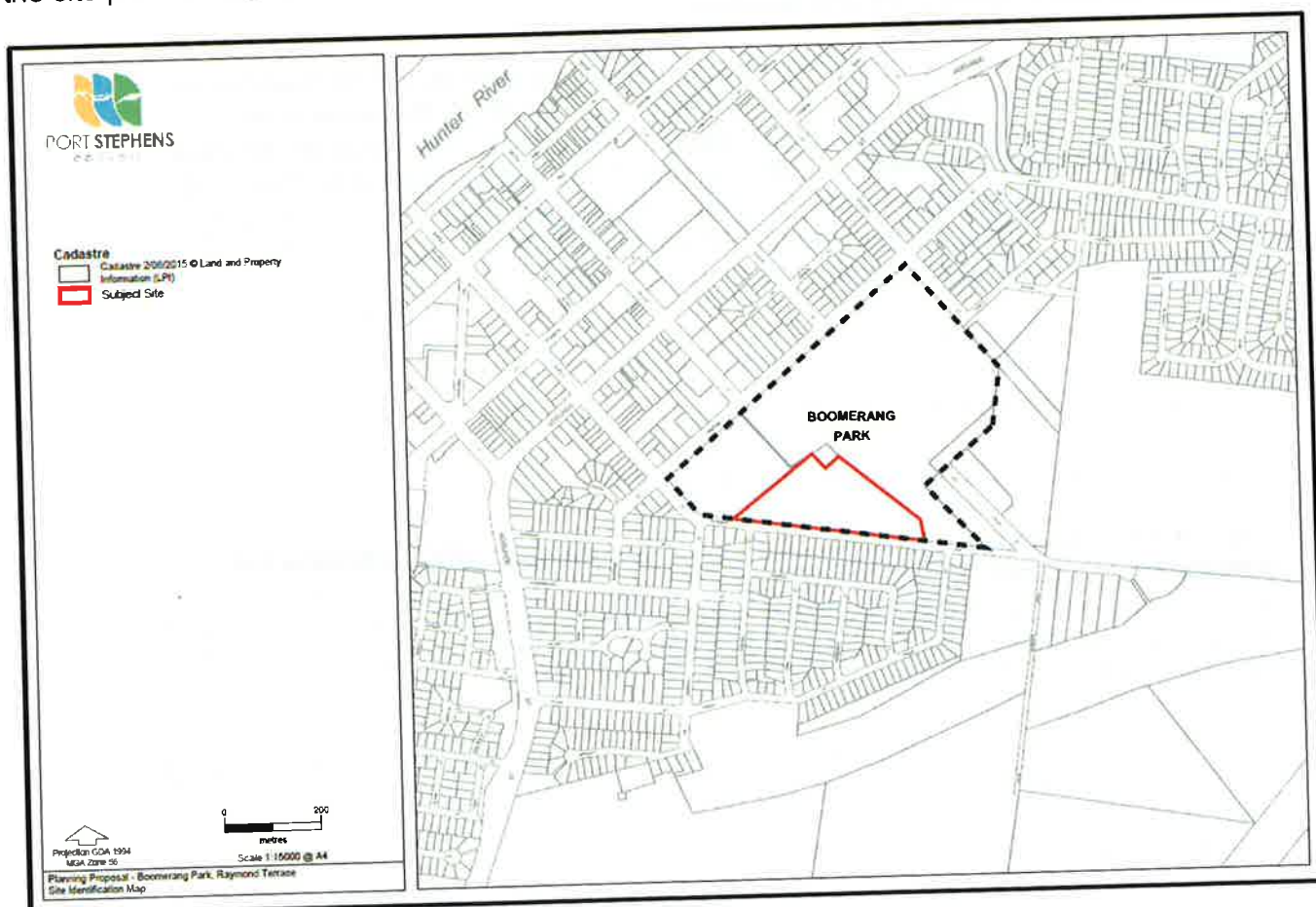
This Statement of Interest (Statement) concerns the reclassification of land under the Port Stephens Local Environmental Plan 2013. The proposed reclassification has been prepared in accordance the requirements of Section 27(1) of the *Local Government Act 1993*, and the NSW Department of Planning Practice Note PN 09-003 (12 June 2009) *Classification and reclassification of public land through a local environmental plan* (Practice Note).

The purpose of this Statement is to:

- (a) Identify land owned by Council proposed to be reclassified; and
- (b) allow the community the opportunity to assess the proposal with a full appreciation of all relevant information.

Subject land

The following Statement of Council's Interest concerns land within Boomerang Park, being Part Lot 1 DP 1018979, 17E Irrawang Street, Raymond Terrace, as identified by the site plan below:



Statement of Council's Interest

- *Current classification of the land*

The land is currently classified as 'community' land under the Local Government Act 1993.

- *Proposed classification of the land*

It is proposed to reclassify the land to 'operational' land under the *Local Government Act 1993*.

- *Justification for the planning proposal*

The proposed reclassification of land follows a resolution by Council on 25 November 2014 to adopt the Boomerang Park Masterplan and to initiate the rezoning and reclassification process for the site.

The Masterplan was prepared in recognition that the size of Boomerang Park and the relatively small number of formal users has resulted in an oversupply of recreation land. The Masterplan aims to enable a greater public use of the park through the provision of new infrastructure and facilities.

The proponent has advised that the land is underutilised recreational land and is no longer required for its current use. In accordance with the NSW Department of Planning and Environment, which recommends a standard of 2.83 hectares of open space per 1000 residents, there is sufficient public open space within the Raymond Terrace Planning District, even with the proposed removal of 4.5ha at Boomerang Park. Currently, there is 16.9 hectares/1000 residents which will be reduced to 16.6 hectares/1000 residents should the planning proposal proceed.

- *Council's interest in the land*

Port Stephens Council is the land owner.

- *Reasons why Council acquired an interest*

The site was first dedicated to Council as a Public reserve in 1837, following the preparation of a survey for the township of Raymond Terrace. This reserve was subsequently rededicated in September 1892 as a Recreation Reserve. The land was not dedicated or purchased through Section 94 of the Environmental Planning and Assessment Act 1979.

- *Details of any proposal to extinguish or retain other interests in the land through the reclassification*

Council intends to dispose of the land.

- *A justification / explanation as to why such interests are being extinguished*

Council intends to extinguish its interests as the land is surplus to the recreational needs of the community.

- *Any rezoning associated with the reclassification*

In addition to the reclassification, the planning proposal seeks to rezone the site from RE1 Public Recreation to R2 Low Density Residential.

- *Any agreements over the land*

The site is subject to a Plan of Management under the Local Government Act 1993. The Boomerang Park Plan of Management will need to be updated to reflect the changes to Boomerang Park. The POM would cease to apply to the site.

- *An indication of the financial gain or loss from the reclassification and the types of benefit that could arise*

It is estimated that Council may obtain a \$1.7 million profit from the sale of the land following its reclassification and rezoning.

- *Asset Management Objectives*

To provide better utilisation of Boomerang Park through the disposal of underutilised recreation space.

- *Whether there has been any agreement for the sale and lease of the land*

There has been no agreement for the sale or lease of the land. Council intends to sell the asset.

- *Council's proposed future use of the site*

It is intended that the future use of the land will be in accordance with the provisions of the R2 Low Density Zone.

- *How the reclassification relates to Council's Strategic Framework*

Community Strategic Plan

The planning proposal is consistent with the following directions of the Port Stephens Integrated Planning Framework:

- 2.1.1 Maintain and operate open spaces, children's services, and services for seniors and people with disabilities
- 2.1.3 Maintain the performance, standard and appearance of those leisure facilities across the Local Government Area that are within Council's control
- 2.3.1 Implement the Draft Port Stephens Open Space Strategy

Integrated Strategic Plan (Port Stephens 2022)

The proposal is consistent with Council's Integrated Strategic Plan (Port Stephens 2022) which states that Council should provide for a range of lot sizes and housing types to respond to demographic needs and affordability. The proposal will potentially add approximately 40 lots to the residential stock in Raymond Terrace.

Port Stephens Planning Strategy (PSPS)

The Planning Proposal is consistent with the directions adopted by the PSPS. The PSPS identifies Raymond Terrace as a Regional Centre that serves the needs of the wider LGA. It is an area of projected population growth, from 13,346 people in 2009 to 21,380 people in 2031. The Strategy identifies potential growth by infill development in the area encompassing Raymond Terrace – Heatherbrae – Nelsons Plains of 800 dwellings during the period 2011 – 2036. The proposed reclassification and rezoning will therefore provide infill residential development opportunities in accordance with the Strategy.

Boomerang Park Plan of Management

The Boomerang Park Plan of Management was adopted in November 2000. The POM provides a framework to enable decisions in regards to the site to be made on a consistent and equitable basis.

The vision for Boomerang Park, as outlined in the POM, is as follows:

"To provide public open space that enables a wide range of recreational, cultural, conservational, educational and community based activities to be undertaken in a manner that adds to the scenic and social attributes of the Raymond Terrace planning district"

The Boomerang Park Masterplan seeks to facilitate the provision of new infrastructure and facilities that will contribute to the ongoing development, improvement and increased use of the park, in accordance with the vision.

The Boomerang Park Plan of Management will need to be updated to reflect the changes to Boomerang Park. The POM would cease to apply to the site.

Boomerang Park Masterplan

The Boomerang Park Masterplan was adopted by Council on 25 November 2014 and sets the proposed layout and form of the park and facilities. It seeks to enable greater community use and enjoyment of the park by expanding the opportunities for formal and informal use, at a range of scales.

The Masterplan also identifies three parcels of land within the Park that are proposed to be further investigated for future reclassification and rezoning. One of the identified parcels is the subject of this planning proposal. The reclassification of the remaining two parcels is not currently being progressed.

Draft Raymond Terrace & Heatherbrae Strategy 2015-2031

The draft Raymond Terrace & Heatherbrae Strategy was endorsed for public exhibition by Council at its meeting on 26 May 2015. The draft Strategy seeks to implement a quantity to quality approach to public open space, which recognises the limited operating budgets of regional Councils and the significant amount of public open space

that they are required to maintain. With regards to Boomerang Park, the draft strategy includes the following Action:

Action No. 25 - Implementation of the Boomerang Park Masterplan which includes quality paths, play equipment, etc. This is subject to securing appropriate funding.

The Planning Proposal is consistent with the draft strategy, which is reflective of Council's endorsement of the Boomerang Park Masterplan.

- *Site specific requirements*

Future development of the site will need to consider the recommendations of the Preliminary Ecological Assessment, the Traffic and Transport Assessment, the Stormwater Drainage Study and Statement of Heritage Impact and any additional site specific investigations undertaken as part of the planning proposal or at the development application stage.

- *Any preliminary comments by a relevant government agency, including and agency in which the land is vested or held*

The preliminary advice of government agencies has not been obtained. Consultation with relevant agencies will occur in accordance with Gateway requirements.

- *Consideration of any relevant directions, eg section 117 Direction 6.2 – Reserving Land for Public Purposes*

Relevant section 117 Directions are addressed in Table B in the Planning Proposal.

The following Table contains an assessment of s117 Direction No. 6.2 – Reserving Land for Public Purposes:

Ministerial Direction	Aim of Direction	Consistency and Implications
6. LOCAL PLAN MAKING		
6.2 Reserving Land for Public Purposes	The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	The planning proposal seeks to rezone and reclassify part of 'Boomerang Park', which is currently used for public open space. The proponent has advised that the removal of 4.5ha of open space will have a minimal overall impact on the provision of open space in the Raymond Terrace Planning District. There is currently 16.94ha of open

		space /1000 residents, and the proposal will reduce this to 16.6ha/1000 residents. This exceeds the NSW Department of Planning and Environment recommendations of 2.83 hectares of open space per 1000 residents
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- *Relevant matters required in plan making under the EP&A Act*

The reclassification is being processed in accordance with Part 3 of the EP&A Act.

Public hearing

The proposed reclassification is to be the subject of a public hearing pursuant to section 29 of the *Local Government Act 1993* and *PN09-003*.