

# **Planning Proposal**

Minor Revision to the Zoned Route of The Southern Parkway Collector Rd, South Forster Release Area.

January 2016

**Prepared by:** 

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### 1. Background

This Planning Proposal (PP) provides justification to amend Great Lakes Local Environmental Plan 2014 to revise part of the zoned route of the collector road, known as The Southern Parkway, through South Forster. To achieve this outcome it is proposed to rezone land to SP2 Infrastructure through Lot 2 DP 614397 to link with the constructed section of The Southern Parkway in the Lakes Estate, South Forster. At the same time, the current zoned route of The Southern Parkway will be rezoned to RU2 Rural Landscape.

The site is within the South Forster Release Area which is a "Proposed Future Urban Release Area" in the Mid North Coast Regional Strategy.

In October 2014 Council resolved to prepare and exhibit a planning proposal that proposed to rezone land for drainage and road purposes in the South Forster Release Area. The proposal also nominated Council as the acquisition authority for the rezoned land in the event the land had to be compulsorily acquired. That planning proposal has now been submitted to the Secretary to arrange for the PP to be drafted and made.

This planning proposal has now been prepared for the relocation of the remainder of the zoned route of the collector road, known as The Southern Parkway, through the South Forster release area. The relocation of the remainder of the route is necessary so that it aligns with the route determined by Council in the previous PP and to better serve all future properties in the area.

The subject proposal is low impact as a minor reconfiguration of the road alignment.

#### **Property Details**

The subject land is located within the eastern sector of the South Forster Release Area. Site location plans are contained in Part 4 of this PP.

The land affected by the rezoning is either cleared and not used for any purpose or used for grazing.

The land affected by the proposal is described in real property terms as:

- Lot 2 DP 614397, Cape Hawke Dr, South Forster
- Lot 304 DP 1099114, Cape Hawke Dr, South Forster
- Lot 9 DP 753168, Cape Hawke Dr, South Forster

## 2. Objectives and Intended Outcomes

Rezoning of the land will clearly establish Council's policy for the provision of road infrastructure in the South Forster Release Area.

The objectives and intended outcomes of this Planning Proposal are to:

- 1. provide the best road access route for The Southern Parkway to facilitate the release of residential land in the South Forster area and provide linkages between residential areas and key community nodes;
- 2. Enable the Southern parkway to be realigned through Lot 2 DP 614397 to the constructed section of this road in the Lakes Estate, South Forster and thereby assist in providing the best road alignment to meet the demands associated with the projected population growth for the South Forster locality, and
- 3. Enable landowners to request that the land be acquired and for Council to compulsorily acquire the route of road, if necessary, so as to facilitate the release of urban land and coordinated development in the area.

Hence, the intended outcome is to implement an amendment to the Great Lakes Local Environmental Plan 2014 which:

- 1. Rezones an amended route for the Southern Parkway through Lot 2 DP 614397 to link with the constructed section of this road in the Lakes Estate; and
- 2. Reserves the land for future acquisition and nominates Council as the acquisition authority.

It is also intended that as a minor reconfiguration of road alignment, the Planning Proposal be determined as low impact.

### 3. Explanation of Provisions

The proposed outcome will be achieved by amending the Great Lakes Local Environmental Plan 2014 to rezone land to SP2 Infrastructure for the revised route of The Southern Parkway through Lot 2 DP 614397 to the constructed section of this road in the Lakes Estate, South Forster – in accordance with the proposed zoning map shown in Part 4 of this PP.

#### **Provisions**

#### Name of plan

The plan will be cited as Great Lakes Local Environmental Plan 2014 (insert)

#### Aims of the plan

The plan aims are:

- a) To revise the zoned route of part of The Southern Parkway so as to provide the best road access to facilitate the release of residential land in the South Forster area and provide linkages between residential areas and key community nodes.
- b) To make it Council's intentions for road infrastructure in the South Forster clear to the community, land owners and developers.
- c) To continue to identify Council as the acquisition authority for the route of the Southern Parkway to be zoned SP2 Infrastructure by showing the route of the road as Local Road (SP2) on the Land Reservation Acquisition Map

### 4. Justification

In October 2014 Council resolved to prepare and exhibit a planning proposal that proposed to rezone land for drainage and road purposes in the southern part of the South Forster Release Area. The proposal also nominated Council as the acquisition authority for the rezoned land in the event the land had to be compulsorily acquired.

That planning proposal has now been submitted to the Secretary of the Department of Planning and Environment for the amending Local Environmental Plan to be drafted and made.

As a result of the detailed work that was undertaken to achieve an integrated design for drainage and road infrastructure for the previous planning proposal it became apparent that the zoned route of the remainder of The Southern Parkway through the South Forster Release Area had to be revised.

These more detailed designs demonstrate how the objectives of the planning proposal can be practically implemented to achieve the following.

- Integration of the route of the Southern Parkway with drainage infrastructure in the South Forster Release Area.
- The best route for The Southern Parkway to better serve all properties in the South Forster area.
- Zoning of the revised Route of The Southern Parkway to best service all properties
- To enable acquisition of the land in the public interest if this is needed.

The figures in Part 4 of this PP show the current zoned location of The Southern Parkway as well as the proposed revised route.

#### Section A – Need for the Planning Proposal

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

The South Forster Release Area is identified in the Mid-North Coast Regional Strategy as a "Proposed Future Urban Release Area" – which includes employment lands as well as provision for residential growth. The provision of a collector road through this area is critical for effective servicing of the area and to ensure ease of movement between key land use nodes.

The outcomes of the more detailed designs for drainage and road infrastructure have identified the need to amend the planned route of The Southern Parkway so as to connect with the constructed section of this road in the Lakes Estate. This Planning Proposal gives effect to that amended route.

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

This Planning Proposal positively addresses the social, economic and environmental issues involved. The planning for the South Forster Release Area needs to be finalised to provide for adequate land supply, to provide certainty for the involved landowners and to provide for an integrated water management and road infrastructure solution.

The more detailed designs for water management and road infrastructure have evaluated options and concluded with the most practically implementable approach, the best road alignment and which has no greater environmental impact than the currently zoned route.

### Section B - Relationship to Strategic Planning Framework

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

A number of state and regional planning policies are of relevance::

- The Mid-North Coast Regional Strategy
- NSW Coastal Design Guidelines:
- State Environmental Planning Policy (SEPP) No. 71 Coastal Protection;

#### The Mid-North Coast Regional Strategy (March 2009)

The site is within the South Forster Release Area which is a "Proposed Future Urban Release Area" in the Mid North Coast Regional Strategy (MNCRS). The Growth Area Map for Great Lakes North in the MNCRS identifies predominantly residential development in the release area but also identifies "Employment Lands". This low impact planning proposal aims to ensure the best road infrastructure solution for this Release Area and is consistent with the MNCRS.

#### **NSW Coastal Design Guidelines**

The NSW Coastal Design Guidelines were commissioned by the Coastal Council of NSW, the Government's advisory body on coastal planning and management. The Guidelines were prepared to reflect the directions of the NSW Coastal Policy 1997 and to complement the Government's Coastal Protection Package.

The Coastal Guidelines identify seven coastal settlement types and Forster/Tuncurry, which falls into the category of a 'coastal town', being bounded by the ocean, the lake and its estuaries, and adjoining national parks and reserve areas. As a consequence, the footprint for potential urban development is well defined with little or no scope to expand the footprint greater than that already acknowledged by the current zone controls. On this basis, the rationale behind the analysis of development potential for Forster/Tuncurry is one of optimising the existing urban and residential areas within the settlements existing footprint (including those lands zoned for future urban release).

This low impact planning proposal aims to ensure the best road infrastructure solution for this Release Area and is consistent with the Coastal Design Guidelines. and it addresses the relevant matters for consideration as detailed in the NSW Coastal Design Guidelines in that the proposed road route amendment:

- Responds to issues raised during consultation;
- Future infrastructure needs are understood and designed for; and
- The best road alignment solution enables the South Forster Release Area to proceed and thereby optimise development in existing and planned release areas.

#### State Environmental Planning Policy No. 71 - Coastal Protection

This policy came into effect on 1 November 2002. It seeks to ensure that development in the NSW Coastal Zone is appropriate and suitably located, to ensure that there is a consistent and strategic approach to coastal planning and management and to ensure that there is a clear development assessment framework for the coastal zone. This SEPP requires a greater level of scrutiny of any development proposals considered to have potential to create an adverse impact on the coastal areas of the NSW (as per Schedule 2 of the SEPP).

This low impact planning proposal aims to ensure the best road infrastructure solution for this Release Area and is consistent with SEPP 71.

## Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

#### Community Strategic Plan: Great Lakes 2030

The Vision of the Community Strategic Plan: Great Lakes 2030 is:

"a unique and sustainably managed environment balanced with quality lifestyle opportunities created through appropriate development, infrastructure and services"

The most relevant key directions and related objectives and strategies are:

### Key Direction 4: Vibrant and connected communities;

**Objective 8:** 

Provide the right places and spaces

#### **Strategies**

**8.1** Ensure community, sporting, recreational and cultural facilities and services reflect current and future needs

8.2 Maintain community infrastructure to current service standard

#### **Objective 9:**

Plan for sustainable growth and development.

#### **Strategies**

9.1 Manage growth to reflect current and future needs

9.2 Manage urban development and ensure it respects the character of the area in which it is located

This low impact planning proposal aims to ensure the best road infrastructure solution for this South Forster Release Area and is considered consistent with the above vision, key directions, objectives and strategies of Great Lakes 2030.

#### Forster/Tuncurry Conservation and Development Strategy (2003)

This Strategy provides "a long-term framework for land-use planning in the Study Area. The aims of the Strategy are to identify and protect significant environmental assets and identify land suitable for future urban growth and provide a framework for providing for orderly, efficient and qualitative growth". South Forster is one such growth area.

The Strategy anticipates that there will be an increasing demand for more affordable housing. The Strategy is based on accommodating smaller household sizes in the future, whilst encouraging a diversity of housing forms to cater for changes in housing demand as residents move through their life cycle.

The South Forster Structure Plan was prepared in accordance with this Development Strategy. This low impact planning proposal aims to ensure the best road infrastructure solution for this Release Area and is consistent with the Development Strategy.

#### The Forster/Tuncurry Housing Strategy

In optimising the use of the land for urban and residential purposes, the issues of particular relevance to the Forster/Tuncurry Housing Strategy are:

- 1. Community, stakeholder and Aboriginal consultation is an integral part of the planning process:
- 2. The need to understand and design for current and future infrastructure needs for population growth and tourist population influxes at peak times; and
- 3. Understanding and designing for social needs such as housing choice, employment and provision of community facilities needed to service the community and tourism.

This planning proposal is consistent with the Forster/Tuncurry Housing Strategy – particularly in relation to issues number 2 above.

#### The South Forster Structure Plan

The South Forster Structure Plan, adopted by Council in 2007, was prepared to guide the rezoning and development of land to the south of Forster. The plan identifies key infrastructure and principles for growth in this area, including the route of The Southern Parkway. The minor revision to the route of The Southern Parkway is still consistent with the intentions for this collector road. It still effectively service this growth area and will continue take some of the load off The Lakes Way by providing an alternative route for north-south traffic.

The proposal is low impact and as a minor reconfiguration of road alignment it does have site-specific merit and is compatible with the surrounding land uses, having regard to the following:

- the natural environment 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 or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Table 1 - Is the planning proposal consistent with applicable State Environmental Planning Policies?

Relevant SEPP	Requirement	Consistency
No. 44 – Koala Habitat Protection	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.	Not Applicable
No. 55 – Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land. If the land is unsuitable, remediation must take place before the land is developed. Clause 6 of the SEPP requires consideration of contamination in any change of use that may permit residential use.	Not Applicable.
No.71 – Coastal Protection	The object of this policy is to provide for the protection and management of sensitive and significant areas within the coastal zone.	The amended road route has no adverse effects on the management of sensitive and significant areas within the coastal zone.

Nothing in this Planning Proposal affects the aims and provisions of, or is inconsistent with, the State Environmental Planning Policies listed below:

SEPP 1 - Development Standards

SEPP 15 - Rural Land Sharing Communities

SEPP 21 - Caravan Parks

SEPP 30 - Intensive Agriculture

SEPP 32 - Urban Consolidation (Redevelopment of Urban Land)

SEPP 33 - Hazardous & Offensive Development

SEPP 36 - Manufactured Homes Estates

SEPP 44 - Koala Habitat Protection

SEPP 50 - Canal Estates

SEPP 55 - Remediation of Land

SEPP 62 - Sustainable Aquaculture

SEPP 64 - Advertising and Signage

SEPP 65 - Design Quality of Residential Development

SEPP Building Sustainability Index: BASIX 2004

Seniors Living SEPP;

SEPP Housing for Seniors or People with a Disability 2004

SEPP Major Development 2005

SEPP Infrastructure 2007

SEPP Mining, Petroleum Production and Extractive Industries 2007

SEPP Temporary Structures 2007

SEPP Exempt and Complying Development Codes 2008

SEPP Rural Lands 2008

SEPP Affordable Rental Housing 2009

SEPP State and Regional Development 2011

#### Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

The table below identifies the Ministerial Directions which are relevant to this planning proposal and provides related comments.

**Table 2 - Ministerial Directions** 

s. 117 Direction	Aims/Objectives	Consistency
2.2 Coastal Protection	To implement the principles in the NSW Coastal Policy	The amended road route has no adverse effects on the management of sensitive and significant areas within the coastal zone and is therefore consistent with this Direction.
	2,2 (4) (a) requires that the planning proposal gives effect to, and is consistent with:  the NSW Coastal Policy: A Sustainable future for the NSW Coast 1997; and The Coastal Design Guidelines 2003.	This low impact planning proposal aims to ensure the best road infrastructure solution for this Release Area and is consistent with the Coastal Design Guidelines. It addresses the relevant matters for consideration as detailed in the NSW Coastal Design Guidelines in that the proposed road route amendment:  • Responds to issues raised during consultation on a previous planning proposal;  • Future infrastructure needs are understood and designed for; and  • The best road alignment solution enables the South Forster Release Area to proceed and thereby optimise development in existing and planned release areas.
3.1 Residential Zones	a) To encourage a variety and choice of housing types to provide for existing and future housing needs,	This planning proposal ensures the optimal efficiency and design of the southern section of the Southern Parkway and is consistent with, and supports the implementation of, this Direction for the South Forster Release Area.
	b) Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and	
	c) minimise the impact of residential development on the environment and resource lands.	
3.1 Integrating Land Use and Transport	To ensure that urban structures, building forms, land use locations, development designs subdivision; and street	This planning proposal is a small scale improvement to the road network and does contribute to these objectives for the South Forster Release Area and is consistent with

	lovouto achieve the	this Direction
	layouts achieve the following sustainable transport objectives:	this Direction.
	a) improving access to housing, jobs and services by walking, cycling and public transport, and	
	<ul> <li>b) increasing the choice of available transport and reducing dependence on cars, and</li> </ul>	
	c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and	
	d) supporting the efficient and viable operation of public transport services, and	
	e) providing for the efficient movement of freight.	
5.1 Implementation of Regional Strategies	To give legal effect to the To give legal effect to the	
	The direction requires that Planning Proposals be consistent with a regional strategy released by the Minister for Planning which includes the Mid North Coast Regional Strategy.	release area but also identifies "Employment Lands". This low impact planning proposal ensures the best road infrastructure solution for this Release Area and is consistent with, and supports implementation of, the MNCRS.
6.2 Reserving Land for Public Purposes	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.	This planning proposal enables landowners to request that the land be acquired or, if demonstrably in the public interest, the compulsory acquisition of land for the road linkage to be made.  It is therefore consistent with, and supportive of, this Direction.

Nothing in this Planning Proposal is inconsistent with the aims, objectives and provisions of the other Ministerial Directions as follows:

#### **EMPLOYMENT AND RESOURCES**

#### 1.1 Business and Industrial Zones

- 1.2 Rural Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 1.5 Rural lands

#### 2. ENVIRONMENT AND HERITAGE

- 2.1 Environmental Protection Zones
- 2.3 Heritage Conservation
- 2.4 Recreation Vehicle Areas

#### 3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

- 3.2 Caravan parks and Manufactured Home Estates
- 3.3 Home Occupations
- 3.5 Development Near Licensed Aerodromes
- 3.6 Shooting Ranges

#### 4. HAZARD AND RISK

- 4.1 Acid Sulphate Soils
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection

#### 6. LOCAL PLAN MAKING

- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

#### Section C – Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The revised route of The Southern Parkway passes through cleared agricultural land currently used for cattle grazing which does not contain habitat of any significance. The figures in Part 4 of this PP show the revised route over recent aerial photography.

A more detailed assessment of significance (Review of Environmental Effects) will be undertaken prior to construction.

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

The South Forster Structure Plan and related studies and designs already completed conclude that this Planning proposal has minor impacts and is not anticipated to require consideration of the following potential environmental impacts:

- Habitat and Vegetation significance
- Bushfire Threat
- Aboriginal Archaeology
- European Heritage
- Stormwater and Hydrology
- Access and Traffic
- Groundwater
- Visual impacts
- Noise: and
- Sea Level Rise

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

No effects on items or places of European or Aboriginal cultural heritage are likely.

The road route realignment will have net positive impacts on accessibility – including accessibility to and from existing social infrastructure such as schools, recreational facilities and shopping facilities – including walkways and cycle-ways and existing retail centres. The route realignment will also improve the efficiency of a potential public transport route by better servicing future development. It will also facilitate access to all properties in the South Forster Release Area thus enabling development at a future time.

#### **Net Community Benefit Assessment Criteria**

Net community benefit is considered to be served by this planning proposal because:

- The best road access route for The Southern Parkway to facilitate the release of residential land in the South Forster area and provide linkages between residential areas and key community nodes are enabled;
- Provision is made for the best solution for integrated drainage and road infrastructure for the South Forster Release Area;
- The resulting Southern parkway realignment through Lot 2 DP 614397 to the constructed section of this road in the Lakes Estate, South Forster will provide the best road alignment to meet the demands associated with the projected population growth for the South Forster locality, and
- Affected landowners can request that the land be acquired.
- Council can also acquire the land if necessary to provide for development and ease of access within the and through the South Forster Release Area.

#### Section D – State and Commonwealth Interests

#### Is there adequate public infrastructure for the planning proposal?

It is the objective of this planning proposal to provide for the optimal road networks (bicycle networks, bushfire/flood egress) for South Forster.

It is intended that public transport (buses) will be provided along the southern Parkway at the time of viability created by the South Forster development. This planning proposal will enable the best solution for the route of the Southern Parkway and thereby will contribute positively to the potential provision of public transport.

Emergency Services will be available for the South Forster development. This planning proposal will enable the best solution for the route of the Southern Parkway and thereby will contribute positively to the efficiency of emergency services.

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

No Commonwealth authorities need to be consulted.

No State or Commonwealth authorities have been consulted. Council sees no need to undertake consultation with any agency due the minor nature of the proposal and the fact that only proposes a minor revision to the zoned route of a collector road.

## 5. Mapping

The following mapping is provided in this Section:

- Figure 1 Current zoned and proposed revised route of The Southern Parkway
- Figure 2 Proposed revised route of The Southern Parkway over aerial imagery.
- Figure 3 Proposed Amendment to Great Lakes Local Environmental Plan 2014 Land Zone Map
- Figure 4 Proposed Amendment to Great Lakes Local Environmental Plan 2014 Land Reservation Acquisition Map
- Figure 5 Proposed Amendment to Great Lakes Local Environmental Plan 2014 Floor Space Ration Map
- Figure 6 Proposed Amendment to Great Lakes Local Environmental Plan 2014 Height of Buildings Map
- Figure 7 Proposed Amendment to Great Lakes Local Environmental Plan 2014 Lot Size Map

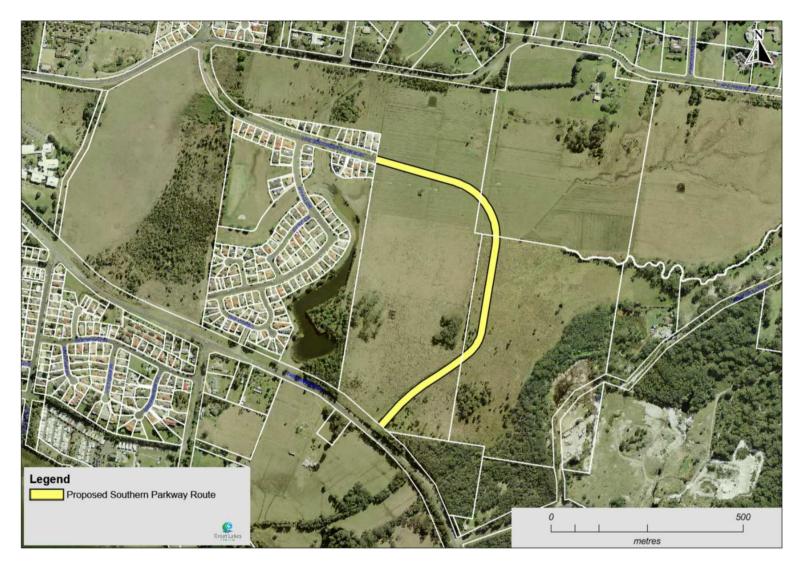


Figure 1 - Proposed revised route of The Southern Parkway over aerial imagery.

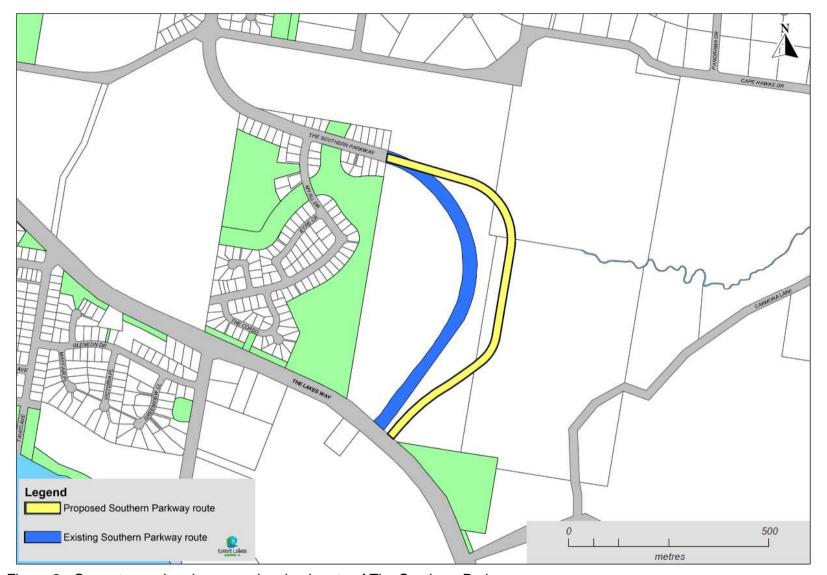


Figure 2 - Current zoned and proposed revised route of The Southern Parkway

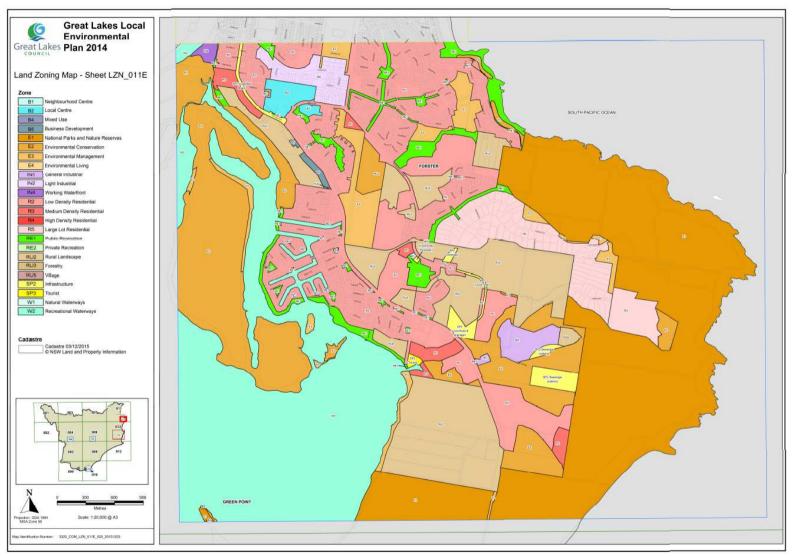


Figure 3 - Proposed Amendment to Great Lakes Local Environmental Plan 2014 - Land Zone Map

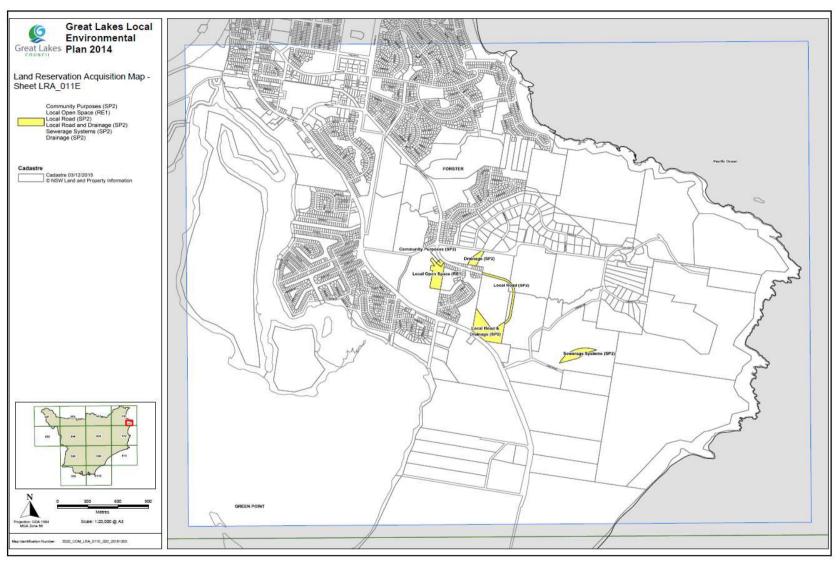


Figure 4 - Proposed Amendment to Great Lakes Local Environmental Plan 2014 - Land Reservation Acquisition Map

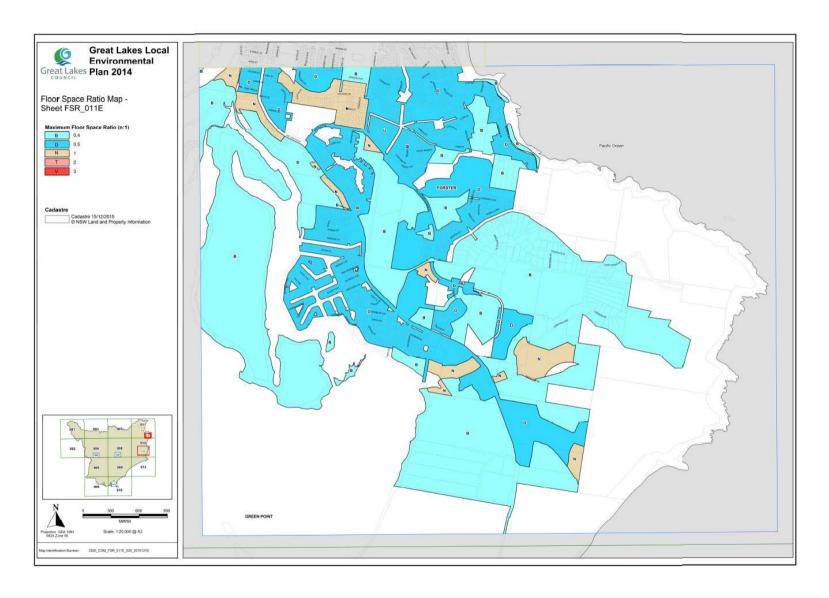


Figure 5 - Proposed Amendment to Great Lakes Local Environmental Plan 2014 - Floor Space Ration Map

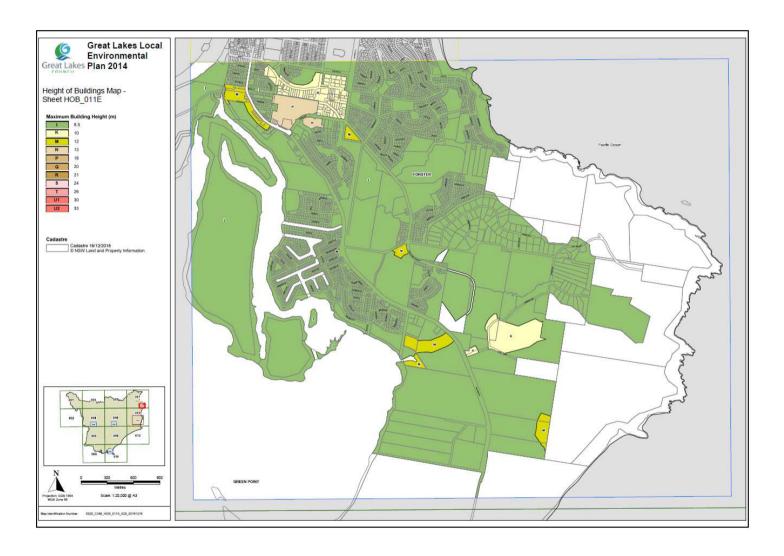


Figure 6 - Proposed Amendment to Great Lakes Local Environmental Plan 2014 - Height of Buildings Map

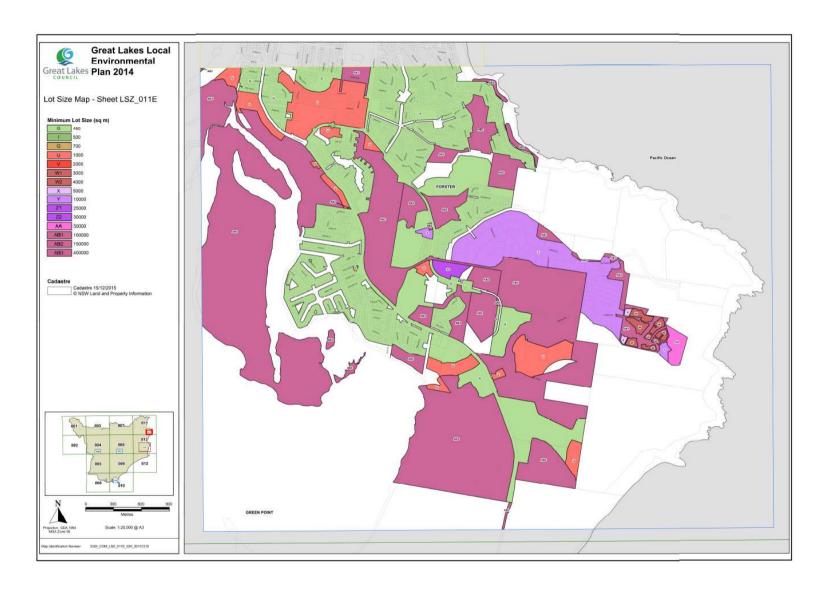


Figure 7 - Proposed Amendment to Great Lakes Local Environmental Plan 2014 - Lot Size Map

## 6. Community Consultation

#### **Notification**

- Notice of this planning proposal will be given by way of:
- Two (2) notifications in the newspaper that circulates in the area,
- Publishing on Council's website during the exhibition period.
- Notification of adjoining and other directly affected landowners.

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

- The planning proposal, as approved by the Director General;
- The gateway determination

#### **Public Hearing**

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

## 7. Project Timeline

Process Step	Projected Timing
Anticipated commencement date (date of Gateway determination)	February 2016
Anticipated timeframe for the completion of required technical information	No additional technical information is required
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	None recommended
Commencement and completion dates for public exhibition period	March 2016
Timeframe for consideration of submissions	April 2016
Timeframe for the consideration of a proposal post exhibition	April - May 2016 (Council meeting)
Date of submission to the Department to finalise the LEP	June 2016
Anticipated date RPA will make the plan (if delegated)	Not delegated
Anticipated date RPA will forward to the department for notification.	July 2016