

Planning Proposal to amend Great Lakes Local Environmental Plan 2014 to:

Encourage the provision of Livable housing; and

Permit flexible zone boundaries in urban release areas

Prepared by:

MIDCOAST COUNCIL

Forster Office, Breese Parade
Forster NSW 2428

T: +61 (2) 6591 7222

F: +61 (2) 6591 7200

E: council@midcoast.nsw.gov.au

Version 9 / Date: 25 November 2016

TABLE OF CONTENTS

INTRODUCTION	3
PART 1 - OBJECTIVES OR INTENDED OUTCOMES	4
PART 2 - EXPLANATION OF PROVISIONS	5
PART 3 - JUSTIFICATION	9
Section A – Need for the Planning Proposal	9
Section B – Relationship to Strategic Planning Framework.....	18
Section C – Environmental, Social and Economic Impact	31
Section D – State and Commonwealth Interests	35
PART 4 - MAPPING.....	36
PART 5 - COMMUNITY CONSULTATION	42
PART 6 - PROJECT TIMELINE.....	43
PART 7 - CONCLUSION	44
Appendix A – <i>Australian Standard 4299-1995 Adaptable Housing</i>	45
Appendix B – <i>Livable Housing Design Guidelines</i>	46
Appendix C – <i>Active Ageing Strategy</i>	47
Appendix D – Consistency with State Environmental Planning Policies.....	48
Appendix E – Consistency with S117 Ministerial Directions	54

INTRODUCTION

The Planning Proposal has been prepared by MidCoast Council in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Environment (Department) Guidelines, including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal seeks to amend Great Lakes Local Environmental Plan 2014 to:

1. Encourage all new residential accommodation to be designed and constructed as Livable Housing, to accommodate the social and physical needs of an ageing population; and
2. Introduce flexible zone boundaries in urban release areas to facilitate subdivision, development and provision of services and infrastructure, in a manner that optimises the conservation and development outcomes of the rezoning process.

This Planning Proposal outlines the intended effect of and justification for the proposed amendments to Great Lakes Local Environmental Plan 2014.

The proposed amendments were the subject of a report to the former Great Lakes Council Strategic Committee Meeting 8 September 2015. The report, annexures and resolution relevant to this Planning Proposal are available on MidCoast Council's website www.greatlakes.nsw.gov.au/Minutes-Agendas.

The proclamation of 12 May 2016 ratified the merger of the Local Government Areas of Gloucester Shire, Greater Taree and Great Lakes Council into Midcoast Council. Great Lakes Local Environmental Plan 2014 still stands as a separate environmental planning instrument.

Council requests that the Department issue delegations to Council to make these amendments.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

(s.55(2)(a) A statement of the objectives or intended outcomes of the proposed instrument)

The objectives of the Planning Proposal are to:

1. Encourage all new residential accommodation to be designed and constructed as Livable Housing, to accommodate the social and physical needs of an ageing population; and
2. Introduce flexible zone boundaries in urban release areas to facilitate subdivision, development and provision of services and infrastructure, in a manner that optimises the conservation and development outcomes of the rezoning process.

The intention is to amend Great Lakes Local Environmental Plan 2014 so that:

- Development incentives to encourage all new residential accommodation in any zone to be designed and constructed in accordance with the *Livable Housing Design Guidelines (LHA)*;
- References to *Australian Standard AS 4299—1995, Adaptable housing* are replaced with references to the *Livable Housing Design Guidelines (LHA)* to enable flexibility in the design and certification of new residential accommodation;
- Introduce a new local clause based on the *Standard Instrument - Principal Local Environmental Plan Clause 5.3 Development near zone boundaries [optional]*, so that flexible zone and development standard boundaries apply to urban release areas identified in a new Flexible Zone Boundary Area Map.

PART 2 - EXPLANATION OF PROVISIONS

(s.55(2)(b) An explanation of the provisions that are to be included in the proposed instrument)

1. Livable Housing

Great Lakes Local Environmental Plan (LEP) 2014 currently encourages the provision of adaptable housing within the town centres of Forster, Tuncurry, Tea Gardens and Hawks Nest. Adaptable housing provides for ageing-in-place and the changing use of premises over time.

LEP 2014 currently encourages this form of development by providing height and floor space ratio bonuses of 10% in these town centres, when dwellings and buildings containing dwellings, are designed to meet the requirements of *Australian Standard 4299-1995 Adaptable Housing*. A copy of the Standard is provided in Annexure A of this Proposal.

Council has found that the Australian Standard requirements are too restrictive to justify the development incentive. In addition, the majority of dwellings being built within the Great Lakes region are in residential areas outside of the town centres, where the development incentives are not currently available.

Therefore, Council wants to expand the development incentive provision to all new residential accommodation and replace the restrictive *Australian Standard*, with the updated and more flexible *Livable Housing Design Guidelines*.

The *Livable Housing Design Guidelines* have been prepared by government with the housing industry, as achievable means of providing housing for all members of the community including aged and disabled individuals.

The *Livable Housing Design Guidelines* are referenced by the Department of Planning & Environment in the new *State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development - Apartment Design Guide; A Plan for Growing Sydney* and the *Draft North Coast Regional Plan* (which incorporates the former Greater Taree Council local government area, now incorporated within the MidCoast Council).

A copy of the *Livable Housing Design Guidelines* is provided in Annexure B to this Proposal.

The intentions of the livable housing development incentives provisions could be made effective in Great Lakes LEP 2014 by amending existing clauses, for example:

4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,*
- (b) to encourage the provision of livable housing that meets the needs of people throughout their lifecycle. ~~residential development consistent with AS 4299-1995, Adaptable housing.~~*

(2) *The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

(2A) Despite subclause (2), the height of a building containing one or more dwellings may exceed the maximum height shown for the land on the Height of Buildings Map by 10% if the land is in Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use and the consent authority is satisfied that:

- (a) internal lift access will be provided to all levels in the building containing one or more dwellings, and
- (b) the design of the building is consistent with ~~AS 4299 1995, Adaptable housing~~ the Livable Housing Design Guidelines.

4.4 Floor space ratio

(1) The objectives of this clause are as follows:

- (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,
- (b) to encourage a diversity of development on land in business zones, which is unlikely to prejudice the supply of retail or business floor space in those zones,
- (c) to permit a floor space ratio that will provide a transition in built form and land use intensity,
- (d) to encourage the provision of livable housing that meets the needs of people throughout their lifecycle. ~~residential development consistent with AS 4299 1995, Adaptable housing.~~

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

(2A) Development consent must not be granted for development on land in Zone B1 Neighbourhood Centre or Zone B2 Local Centre unless the development includes commercial premises with a floor space ratio of at least:

- (a) for land in Zone B1 Neighbourhood Centre—0.3:1, and
- (b) for land in Zone B2 Local Centre—1:1.

(2B) Despite subclause (2), the floor space ratio for a building containing one or more dwellings on land in Zone R3 Medium Density Residential or Zone B4 Mixed Business may exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#) by 10% if the consent authority is satisfied that:

- (a) lift access will be provided to each level in the building, and
- (b) the design of the building is consistent with the Livable Housing Design Guidelines AS 4299 1995, Adaptable housing.

(2C) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone RU5 Village may exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

7.17 Residential accommodation in Zone R3, R4, Zone B1 or Zone B2

(1) The objective of this clause is to encourage the provision of livable housing that meets the needs of people throughout their lifecycle. ~~residential development that is consistent with the adaptable housing design guidelines.~~

(2) This clause applies to land in the following zones:

- (a) Zone R3 Medium Density Residential,
- (b) Zone R4 High Density Residential,
- (c) Zone B1 Neighbourhood Centre,
- (d) Zone B2 Local Centre.

(3) Despite any other provision of this Plan, development consent must not be granted to development for a building containing one or more dwellings ~~the purpose of residential accommodation~~ on land to which this clause applies unless the consent authority is satisfied that the development is consistent with the Livable Housing Design Guidelines AS 4299 1995, Adaptable Housing.

2. Flexible zone boundary provisions for urban release areas

The intention is to introduce the Standard Instrument Principal Local Environmental *Clause 5.3 Development near zone and development standard boundaries* with two minor amendments:

- the clause only be applied to land within urban release areas. These lands will be identified as a Flexible Zone Boundary Area on a Flexible Zone Boundary Area Map. Examples are provided in *Part 4 - Mapping* of this Planning Proposal; and
- the relationship between zone and development standards such as floor space ratio, building height and minimum lot size map layers is appropriately recognised within the clause.

Within urban release areas it is common practice for zone and associated development standard boundaries to be determined by environmental, topographical, hydrological and other informative studies as part of a planning proposal process.

Due to the complex nature of these studies it is also common to find that the initial subdivision after the rezoning may require some flexibility in interpretation of where the zone and associated development standard boundaries are located. This interplay between natural features and legislative controls requires an additional level of flexibility to ensure the intended conservation and development outcomes for the site are achieved on the ground.

Examples of recent urban release areas where this clause could be applied include: North Shearwater, Tea Gardens; Failford Road East and West, Failford; Pacific Palms (Stages 1 and 2); and Riverside, Tea Gardens.

The intentions of the flexible zone boundary in urban release area provisions could be made effective in Great Lakes LEP 2014 by refining the application of the *Standard Instrument - Principal Local Environmental Plan Clause 5.3* as follows:

5.3 Development near zone boundaries [optional]

- (1) The objective of this clause is to provide flexibility where:
 - (a) the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site; and
 - (b) be compatible with the planning objectives and ~~land uses for the adjoining zone~~ land uses and development standards.
- (2) This clause applies to:
 - (a) land identified as a "Flexible Zone Boundary Urban Release Area" on the Flexible Zone Boundary Area Map, and
 - (b) so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 20 metres. ~~[insert distance for any 2 zones or different distances for different zones]~~.
- (3) This clause does not apply to:
 - (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the development is not inconsistent with the development standards of both zones, and

(c) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

(5) This clause does not prescribe a development standard that may be varied under this Plan.

PART 3 - JUSTIFICATION

(s.55(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 Is the Planning Proposal a result of any strategic study or report?

1. Livable Housing

Urban Design & Density Review - Forster, Tuncurry, Tea Gardens (2008)

In 2008 Council adopted an Urban Design & Density Review - Forster, Tuncurry, Tea Gardens. As part of this review the design provisions for medium and high density residential development in particular, were updated and new development control plans prepared.

Development Control Plans No.51 Forster Tuncurry Town Centre and No.52 Tea Gardens Hawks Nest Town Centre were adopted and introduced incentives for the provision of adaptable housing in the town centres of Forster, Tuncurry, Tea Gardens and Hawks Nest.

These documents included the following provisions for adaptable housing within multi-unit residential development:

3.2 REQUIREMENTS FOR DEVELOPMENT APPLICATIONS

Accessibility Report

For all developments covered by this plan involving the provision of adaptable and accessible housing, submit a report from an Accredited Access Consultant certifying that the adaptable dwellings can satisfy the pre-adaptation requirements (visitability) of AS4299-1995 and are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS4299-1995).

8. BUILDING CONFIGURATION

8.1 ADAPTABLE HOUSING

Flexibility in building design is important to ensure that they remain functional over their life. Not only can flexible buildings accommodate uses other than residential when first constructed, they can accommodate future changes in use, particularly on ground and lower floor levels, for example from residential to commercial.

Flexible design ensures that buildings have the capacity for adaptability to accommodate a wider range of occupants and their changing lifestyle and business needs, such as:

- *household structure change; single, couple, family, extended family, special access needs; and*
- *flexible living/working spaces.*

Objectives

- *To ensure that building design is sufficiently flexible to allow for changes in use for the life of the building.*

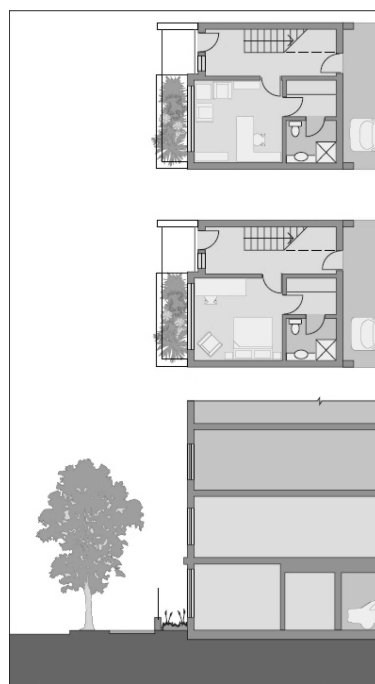


Fig. 8.1: Adaptable dwellings

- To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents over time.
- Ensure the provision of housing that will, in its adaptable features, meet the access and mobility needs of any occupant.
- To save the embodied energy expended in building demolition.

Demonstrates flexibility in design to allow transition between residential and non-residential uses (Source RFDC)

Controls

- Within developments subject to this DCP, 10% of all dwellings (or at least one dwelling) must be designed to be capable of adaptation for disabled or elderly residents. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes "pre-adaptation" design details to ensure visitability is achieved.
- Where possible, adaptable dwellings shall be located on the ground floor, for ease of access.
- Dwellings located above the ground level of a building may only be provided as adaptable dwellings where lift access is available within the building. The lift access must provide access to all levels including the basement to allow access for people with disabilities.
- Incorporate increased ceiling heights for the lower levels in buildings.
- The development application must be accompanied by certification from an accredited Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).
- Car parking and garages allocated to adaptable dwellings must comply with the following requirements:

<i>Adaptable Dwellings: Car parking Dimensions</i>	
<i>Car space type</i>	<i>Minimum car space dimension</i>
<i>Open space</i>	<i>3.5m x 5.5 m</i>
<i>Single garage</i>	<i>3.5m x 6.0m</i>
	<i>with min. 2.5m headroom</i>
<i>Double garage</i>	<i>7.0 x 6.0m</i>
	<i>with min. 2.5m headroom</i>

These provisions came into force in July 2008. At this time there was a significant down-turn in development within the Great Lakes region, particularly for medium and high density residential and mixed-use development.

The former Great Lakes Council had also commenced the program for transitioning existing environmental planning instruments into the *Standard Instrument - Principal Local Environmental Plan*.

Council was able to transition the principles of adaptable housing into Great Lakes Local Environmental Plan (LEP) 2014 and make provision for development incentives for medium and high density residential and mixed-use development under the new LEP format.

To this end, LEP 2014 continues to encourage the provision of adaptable housing by including development bonuses of 10% for building height and floor space where adaptable housing is provided in the town centres of Forster, Tuncurry, Tea Gardens and Hawks Nest.

Active Ageing Strategy 2015-2018

Since the gazettal of Great Lakes LEP 2014 the former Great Lakes Council also developed an Active Ageing Strategy 2015-2018. A copy of the strategy is available on Council's website at: www.midcoast.greatlakes.nsw.gov.au/Community-Recreation/Ageing-and-Disability-Matters/Building-an-Age-Friendly-Community.

The Strategy was prepared in accordance with the requirements and Strategic Priorities of the World Health Organisation (WHO) Global Network of Age-Friendly Cities and Communities (GNAFFCC) and reflects Council's aspiration to become a Centre of Excellence for Ageing.

Council's on-going progress and implementation of the recommendations of the Strategy are to be reported to the WHO by December 2016 as part of maintaining membership of the GNAFFCC.

One area that will be reported on will be the progress and implementation of the WHO GNAFFCC Strategic Priority of *Housing* which includes the provision of housing choice which is affordable, able to accommodate home modifications, provides residents with the opportunity to age-in-place and is conveniently located.

An internal review of the effectiveness of existing development incentives associated with the provision of buildings designed and constructed in accordance with the AS Adaptable Housing, found that:

- The requirements of the Australian Standard are considered too financially onerous to justify the 10% development bonus;
- The level of detail and regulation associated with achieving certification with the Australian Standard are also considered too onerous to justify the 10% development bonus;
- The majority of residential development being designed and constructed within the Great Lakes region, is occurring outside of the existing town centres where the development bonus is not available;
- The anticipated areas of growth, development and re-development of residential accommodation are also located in low and medium density development areas outside of the town centres,
- The predominant form of residential development occurring in the Great Lakes region is detached, semi-detached and single storey multi-unit residential development and this trend is likely to continue.

Therefore, to facilitate new residential development that provides for flexible use and ageing-in-place for the residents of the Great Lakes region, Council should expand the development bonus provisions to all zones, and provide a more flexible and user-friendly method for the design and construction of this housing.

This has resulted in the identification of the Livable Housing Design Guidelines as a contemporary approach to adaptable housing design and certification, which has broad government and industry support. A copy of the Livable Housing Design Guidelines is provided in Annexure B.

State and Regional Reports & Recognition

More recently, the NSW Department of Planning & Environment has also made reference to the Livable Housing Design Guidelines within the following key strategy documents and environmental planning instruments:

- A Plan for Sydney's Growth (2014)
- State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development: Apartment Design Guideline (2015)
- Draft North Coast Regional Plan (2016) - the Plan incorporates the former Greater Taree Council local government area, now incorporated within the MidCoast Council

The history and development of the Livable Housing Design Guidelines are summarised as follows on the LHA webpage www.livablehousingaustralia.org.au/59/about-lha.aspx:

"History

National Dialogue on Universal Housing Design

Livable Housing Australia (LHA) originated from the highly successful National Dialogue on Universal Housing Design, convened in October 2009. The Dialogue brought together lead stakeholders from the residential building and property industry, the ageing, disability and human rights sector and government to discuss how housing could be designed and built to better respond to the changing needs and abilities of people over their lifetime.

Members of the National Dialogue were provided secretariat support by the Department of Families, Housing, Community Services and Indigenous Affairs. The Department of Industry, Innovation, Science, Research and Tertiary Education and the Australian Building Codes Board acted as observers to the Dialogue given the discussion around developing Guidelines. The Department of Planning and Community Development also provided technical advice on the Guidelines.

Vision

Members agreed to set an aspirational target for all new housing to be designed and built to meet minimum livable housing design standards by 2020. Dialogue members agreed to work together to develop a strategic plan and nationally-consistent guidelines to inform the design and construction of new housing across the country.

In July 2010, the Livable Housing Design Guidelines were launched, and Dialogue members committed to the Strategic Plan. The Australian Government pledged \$1 million over four years to support the implementation of the initiatives set out in the Strategic Plan. In June 2011, Dialogue members agreed to establish a new not-for profit organisation, Livable Housing Australia, to drive the strategic directions set-down by the National Dialogue and to champion the Livable Housing Design Guidelines."

The Livable Housing Design Guidelines (www.livablehousingaustralia.org.au/) have since been recognised as part of the National Rental Affordability Scheme, as explained in the following excerpt from the www.qproperty.com.au/nras/what-are-livable-housing-design-guidelines website:

"Better designs, better for people

Livable Housing Design Guidelines set the national benchmark for home design. They've been created to encourage the development of livable homes that are: Easy to enter; Easy to navigate in and around; Responsive to the changing needs of home occupants; Relatively easy to adapt (for injured, disabled or elderly residents); and Livable Design Standards and NRAS

The National Rental Affordability Scheme (NRAS) is a Federal Government initiative designed to increase the supply of more affordable rental homes across Australia – high quality homes that provide a better quality of life for more people on low to moderate incomes.

Silver, Gold and Platinum Livable Housing Design Guidelines

There are three Housing Design Guidelines, focusing on 16 design elements. They cover everything, from access and parking to stairways, kitchen space, hardware and flooring, with the Platinum standard encompassing all 16 elements."

Livable Housing Design Guidelines: The design elements		Silver	Gold	Platinum
01	There is a safe, continuous, level and step-free path of travel from the street entrance and/or parking area to your home's entrance.	✓	✓	✓
02	There is at least one step-free entrance into your home.	✓	✓	✓
03	Where access to your home is through the car park, the parking space has been designed to ensure you can fully open your car doors and move around the vehicle with ease.	✓	✓	✓
04	Internal doors and corridors facilitate comfortable and unimpeded movement between spaces.	✓	✓	✓
05	A toilet on ground or entry level supports easy access for both home occupants and visitors.	✓	✓	✓
06	The bathroom and shower has been designed for easy and independent access for everyone in your home.	✓	✓	✓
07	The bathroom and toilet walls are built to enable grab-rails to be installed in the future.	✓	✓	✓
08	Stairways are designed to reduce the likelihood of injury and also enable future adaptation.	✓	✓	✓
09	The kitchen space has been designed to support ease of movement and to support easy adaptation.	-	✓	✓
10	The laundry space has been designed to support ease of movement and to support easy adaptation.	-	✓	✓
11	There is a space on the ground or entry level that can be used as a bedroom.	-	✓	✓
12	Light switches and power points are easy for everyone in your home to reach and operate.	-	✓	✓
13	Handles and hardware on doors and tap ware have been designed to make them easy for you to open and close.	-	✓	✓
14	The family/living room features clear space to enable you to move in and around the room with ease.	-	-	✓
15	Windows sills are installed at a height that enables you to view the outdoor space from either a seated or standing position.	-	-	✓
16	Floor coverings are slip resistant to reduce the likelihood of slips, trips and falls in the home.	-	-	✓

2. Flexible zone boundaries in urban release areas

The proposed amendment to Great Lakes LEP 2014 to introduce *Clause 5.3 Development near zone boundaries* is not the result of a strategy or report. However, the objective of this amendment is to ensure that the conservation and development objectives of site specific planning proposal studies and strategies are translated into on-ground subdivision and development outcomes after rezoning.

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

1. Livable Housing

Great Lakes Local Environmental Plan 2014 became effective on 4 April 2014 and this plan includes existing development incentives for residential accommodation that is accessible and adaptable by including development bonuses of 10% for building height and floor space where adaptable housing is provided in the town centres of Forster, Tuncurry, Tea Gardens and Hawks Nest:

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,
- (b) to encourage residential development that is consistent with AS 4299–1995, Adaptable housing.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

(2A) Despite subclause (2), the height of a building may exceed the maximum height shown for the land on the [Height of Buildings Map](#) by 10% if the land is in Zone R3 Medium Density Residential, Zone R4 High Density Residential, Zone B1 Neighbourhood Centre, Zone B2 Local Centre or Zone B4 Mixed Use and the consent authority is satisfied that:

- (a) internal lift access will be provided to all levels in the building, and
- (b) the design of the building is consistent with AS 4299–1995, Adaptable housing.

4.4 Floor space ratio

(1) The objectives of this clause are as follows:

- (a) to ensure that the scale of proposed buildings is compatible with the existing environmental character and the desired future urban character of the locality,
- (b) to encourage a diversity of development on land in business zones, which is unlikely to prejudice the supply of retail or business floor space in those zones,
- (c) to permit a floor space ratio that will provide a transition in built form and land use intensity,
- (d) to encourage residential development that is consistent with AS 4299–1995, Adaptable housing.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

(2A) Development consent must not be granted for development on land in Zone B1 Neighbourhood Centre or Zone B2 Local Centre unless the development includes commercial premises with a floor space ratio of at least:

- (a) for land in Zone B1 Neighbourhood Centre—0.3:1, and
- (b) for land in Zone B2 Local Centre—1:1.

(2B) Despite subclause (2), the floor space ratio for a building on land in Zone R3 Medium Density Residential or Zone B4 Mixed Business may exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#) by 10% if the consent authority is satisfied that:

- (a) lift access will be provided to each level in the building, and
- (b) the design of the building is consistent with AS 4299–1995, Adaptable housing.

(2C) Despite subclause (2), the floor space ratio for development for a purpose other than residential accommodation on land in Zone RU5 Village may exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

7.17 Residential accommodation in Zone R4, Zone B1 or Zone B2

(1) The objective of this clause is to encourage residential development that is consistent with the adaptable housing design guidelines.

- (2) *This clause applies to land in the following zones:*
- (a) *Zone R4 High Density Residential,*
 - (b) *Zone B1 Neighbourhood Centre,*
 - (c) *Zone B2 Local Centre.*
- (3) *Despite any other provision of this Plan, development consent must not be granted to development for the purpose of residential accommodation on land to which this clause applies unless the consent authority is satisfied that the development is consistent with AS 4299–1995, Adaptable Housing.*

Therefore, Council considers that a Planning Proposal is the most effective means of facilitating planning outcomes that have strategic merit, specifically to encourage all new residential accommodation to be designed and constructed as Livable housing, to accommodate the social and physical needs of an ageing population.

2. Flexible zone boundaries in urban release areas

The former Great Lakes Council has undertaken a progressive urban release area program based on the findings and recommendations of several conservation and development strategies.

The underlying objective of all of these rezoning programs has been to achieve a balance between environmental conservation and development. To this end, significant environmental studies have usually underpinned the proposals and resulted in outcomes such as the dedication of ecologically significant land for permanent protection and water quality maintenance or improvement.

However, in transitioning the rezoning to on-ground subdivision and development outcomes, there are instances where the final LEP maps for land use zones do not correspond directly with the survey-accurate information necessary to inform the subdivision design and application. In these instances, the need to comply with the legislated map boundaries may result in a compromise to the environmental and development objectives of the original rezoning proposal.

Council is therefore supportive of a degree of flexibility within urban release area development zone and development standard boundaries to ensure the intention of the original planning proposal and amendment to the local environmental plan is maintained.

However, to ensure the application of *Clause 5.3 Development near zone boundaries* is limited to these urban release areas Council proposes the application of the clause to only those lands identified on an associated Flexible Zone Boundary Area Map layer. Samples of Flexible Zone Boundary Area maps are provided in Part 4 - Mapping, of this Planning Proposal.

It is also noted that the previous Gloucester Shire and Greater Taree Councils which now form part of MidCoast Council with the previous Great Lakes Council, already incorporate versions of *Clause 5.3 Development near zone boundaries* clause within their respective local environmental plans.

Therefore, Council considers that the Planning Proposal is the most effective means of facilitating logical planning outcomes which have strategic merit, specifically the introduction of flexible zone boundary provisions to facilitate the subdivision, development, provision of services and infrastructure in an urban release area, in a manner that optimises the conservation and development outcomes of the rezoning process.

Section B – Relationship to Strategic Planning Framework

3.B.1 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)?

1. Livable Housing

Mid North Coast Regional Strategy

The Planning Proposal is consistent with The Mid North Coast Regional Strategy (MNCRS) 2009.

The Strategy recognises that *"while the population is increasing, a considerable challenge also arises from the ageing of the population"* and that *"these population changes will impact on the type and availability of dwellings that will be needed."*

In particular, it acknowledges the need to *"provide accessible and adaptable housing choices"* (p.7) and *"that new styles of housing particularly smaller and easier to manage dwellings will be required"* (p.14).

While Council has had incentives in place since 2008 for medium and high density residential development to be accessible and adaptable housing, the predominant form of residential development continues to be in the form of single dwellings and low density residential accommodation which are currently excluded from the incentives.

Therefore the replacement of *Australian Standard 4299-1995 Adaptable Housing* with the *Livable Housing Design Guidelines* and provision of development incentives for all residential accommodation, is expected to contribute significantly to the provision of accessible and adaptable housing choices throughout the region.

This initiative is therefore consistent with the Mid North Coast Regional Strategy (2009) statement that *"Councils will plan for a range of housing types of appropriate density, location and suitability that are capable of adapting and responding to the ageing of the population."* (p.20)

Hunter Regional Plan

The Planning Proposal is considered to be consistent with the recently adopted Hunter Regional Plan which recognises that there is an increasing need for housing diversity and for planning to respond to the needs of the community. Within the Midcoast Council local government area, a clear planning response is required to address the housing needs of a significant and increasingly aged population.

In this regard, the Hunter Regional Plan contained the following statements:

GOAL 4 – Greater Housing choice and jobs

An additional 70,000 dwellings will be needed in the region by 2036. Providing the land and the infrastructure to meet this demand is central to the Plan. New housing will be focused in established areas through infill development, and will also continue to be provided through greenfield development.

The Plan provides guidance for both of these options. It also provides a framework to identify long term development sites through local strategic planning. Housing supply will be influenced by growth and change in the population across the region, and by the community's desire for greater housing choice. By 2036, the percentage of people aged over 65 years is projected to

increase from 19 per cent to 25 per cent. It will be necessary to identify and protect employment lands to support the regional economy and to capitalise on its strengths.

The Plan identifies the trends which will shape future housing demand include an increase in the aging population and the need for greater housing choice.

Direction 22 – Promote housing diversity

This direction considers that "there are also discrete sectors of the community that are seeking particular types of housing, for example students, older people, short term visitors, visitors accessing health services and low income households".

Direction 22.1 Respond to the demand for housing and services for weekend visitors, students, seasonal workers, the ageing community and resource industry personnel.(p.56)

The new MidCoast Council will have to consider the needs of diverse communities within a regional setting. It will have to capitalise on the opportunities provided by urban centres, rural areas and the natural environment to form a thriving economy based on food production, tourism, manufacturing and services that meet the needs of an ageing and growing population.

The plan provides guidance on the future regional priorities for the Midcoast Local Government Area. This includes "Providing housing, services and facilities, as well as accessible public spaces for an ageing population."(p. 73)

The inclusion of the *Livable Housing Design Guidelines* and provision of development incentives for all residential accommodation in the LEP will assist Council in generating housing specifically for an ageing population throughout the region.

Draft North Coast Regional Plan

The *Livable Housing Design Guidelines* are specifically referred to within the Draft North Coast Regional Plan (2016) - which incorporates the former Greater Taree Council local government area.

MidCoast Council has made submission to the Department of Planning & Environment regarding:

- Inclusion of the former Gloucester Shire, Greater Taree and Great Lakes Council within the revised Hunter Regional Plan; and
- Recognition of adaptable housing needs within the Hunter Plan, consistent with the Draft North Coast Plan, consistent with the demonstrated demographic trends of the region.

In this regard, the Draft North Coast Regional Plan contained the following statements:

GOAL 3 – Housing choice, with homes that meet the needs of changing communities

The draft Plan aims to provide housing choice to meet the community's needs into the future. By 2036, the North Coast will need to accommodate an additional 97,000 people. This growth, along with demographic change and changing household needs, is projected to generate demand for an additional 72,200 dwellings.

In addition to overall population growth, other demographic drivers of change will influence housing needs. Over 90 per cent of the region's population growth to 2036 will be people aged over 65 years. This represents an increase in the proportion of this age group from the current 20 per cent to 31 per cent. As people age they may want a choice about whether to remain in their family home or to relocate to smaller, more affordable housing closer to services.

The projected growth in couple-only and single-person households is also expected to increase demand for smaller and multi-dwelling housing such as townhouses and residential flats in regional cities, regional centres and towns (see Figure 15).

The draft Plan:

- *promotes planning outcomes that encourage housing for people at different stages of their lives, including through Livable Housing Australia's Livable Housing Design Guidelines (2015);*

DIRECTION 3.2 Deliver housing choice to suit changing needs

Over the next 20 years, the population of the North Coast will change significantly. The ageing population will influence the demand for new housing and the desire of people to downsize and potentially age-in-place. In a well-functioning market, the supply of housing should reflect shifts in the community's needs and preferences. The region is also expected to attract new residents relocating after retirement to take advantage of the environmental and lifestyle offerings on the coast.

With an ageing population, housing choice on the North Coast is increasingly about 'universal housing' that allows people to stay in their home as they age. Livable Housing Australia's Livable Housing Design Guidelines set the national benchmark for home design and provide guidance on meeting the needs of people throughout their lifecycle. They were created to encourage the development of Livable homes that are easy to enter and to navigate; responsive to the changing needs of occupants; and relatively easy to adapt (for injured, disabled or elderly residents). Councils will need to consider the guidelines when preparing local environmental plans or planning strategies.

The Planning Proposal is consistent with these goals and directions and is proposed in direct response to demographic and development trends of the Great Lakes Region. Additional information on these demographic and development trends is provided in Sections 3.B.2 and 3.C.3 of this document.

Mid North Coast Housing and Land Monitor

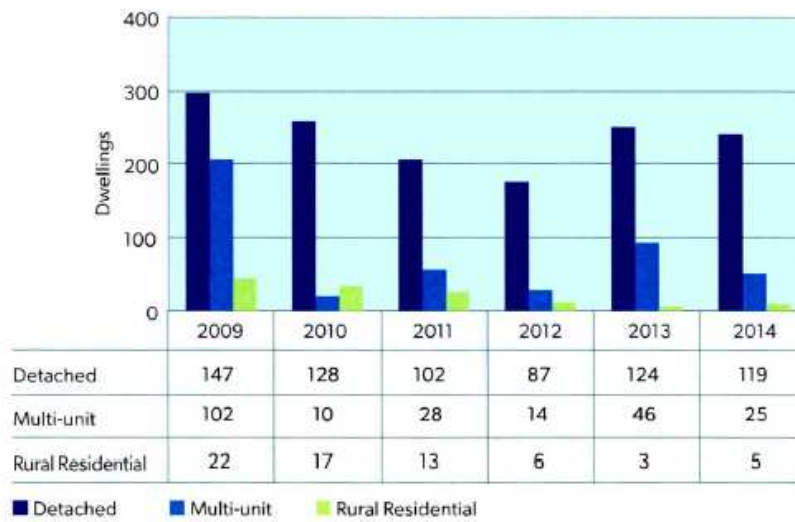
The findings of the Mid North Coast Housing Monitor also support Council's initiative to encourage all new residential development to incorporate the *Livable Housing Design Guidelines* when it states "*Between 2008-9 and 2013-14 74 percent of commenced dwellings in the Urban Growth Areas were for detached housing and 26 percent for multi-units.*"

Within the Manning Valley-Great Lakes subregion, these statistics are slightly higher, with 77.5% of all new residential development made up of detached dwellings (including rural residential) while multi-unit development only represents 22.5% of new housing stock.

3.4 MANNING VALLEY - GREAT LAKES

The Mid North Coast Regional Strategy estimated that by 2031 the Manning Valley - Great Lakes subregion will require an additional 15,000 dwellings in order to meet the forecast population increase. Over six years (2008-09 to 2013-14) 998 new dwellings were commenced in the Manning Valley - Great Lakes subregion.

Figure 22. Manning Valley – Great Lakes Subregion Commenced Dwellings Yearly Totals



2. Flexible zone boundary provisions for urban release areas

Mid North Coast Regional Strategy

The Planning Proposal is consistent with the Mid North Coast Regional Strategy (MNCRS) 2009.

While the provision is not specifically referenced within the Strategy, the general principle of facilitating subdivision and development of an urban release area is consistent with the initiatives of the Strategy. In particular, by enabling residential and employment lands to be released for occupation and activation in a timely manner will actively *"maintain and enhance the opportunity for the communities of the Region to experience a healthy, prosperous and sustainable lifestyle"*. (p.9)

Mid North Coast Housing and Land Monitor

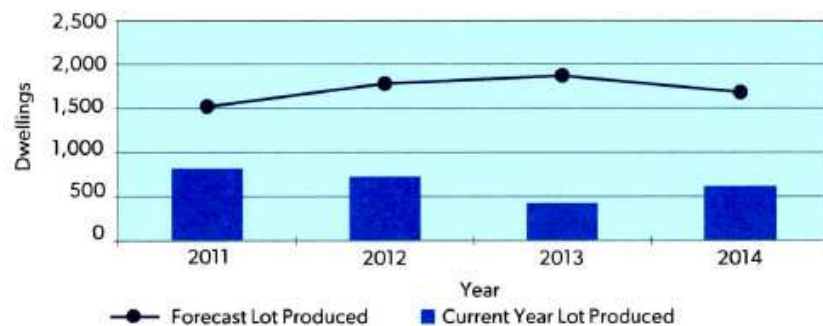
The findings of the Mid North Coast Housing Monitor also support Council's initiative to facilitate subdivision and development of new urban release areas. The Monitor identifies not only significant differences with the anticipated and actual release of land, but the significant backlog of unrealised allotments:

2.5 ACTUAL LOT PRODUCTION VERSUS FORECAST LOT PRODUCTION

Data collection for actual lot production compared to forecast lot production began in the 2010-11 financial year. Annual regional forecasts for lots produced compared to actual lots produced for the years 2010-11 to 2013-14 were:

Year	Forecast	Produced
2010-11:	1,523	817
2011-12:	1,782	718
2012-13:	1,874	413
2013-14:	1,681	613

Figure 7. Actual Lots Produced versus Forecast Lots Produced

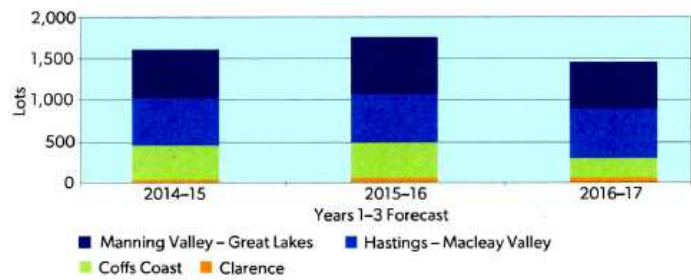


2.6 LOT AND HECTARE PRODUCED FORECAST

Annual estimates provided by Councils for lots to be produced between the years 2014-2017 are:

2014-15	1,603
2015-16	1,762
2016-17	1,453
(See Figure 8)	

Figure 8. Yearly Lot Produced Forecast 2014-15 to 2016-17



Annual estimates provided by Councils for hectares to be produced between the years 2014-2017 are:

2014-15	139
2015-16	152
2016-17	128
(See Figure 9)	

Figure 9. Mid North Coast Yearly Hectare Produced Forecast 2014-15 to 2016-17

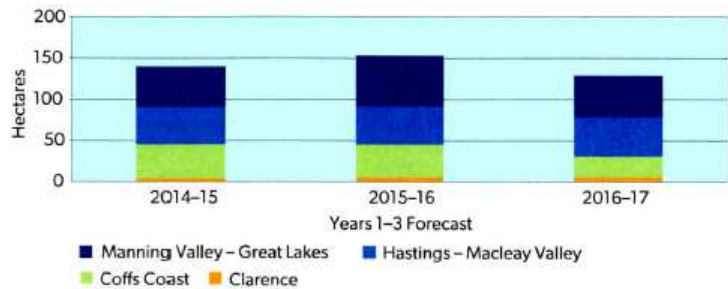
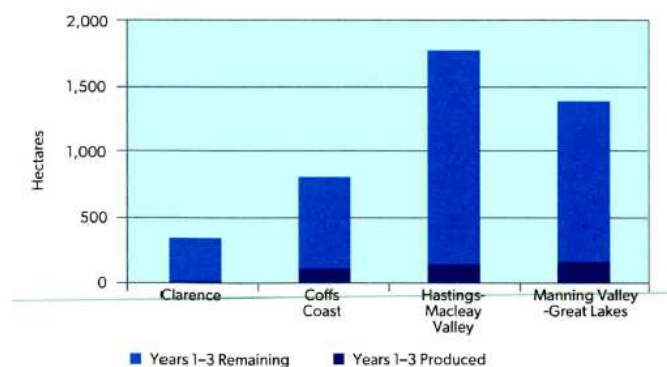
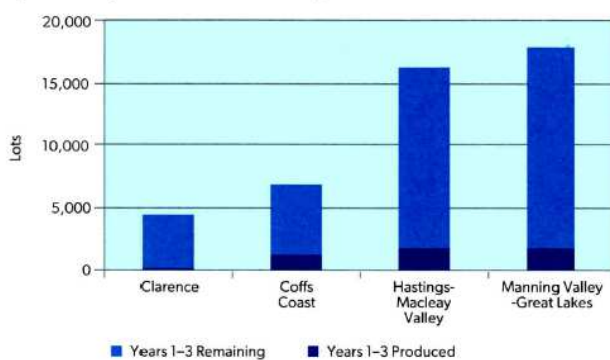


Figure 10 shows forecast lots produced and remaining, and hectares produced and remaining for the years 2014-2017 to 2016-2017. (See Figure 10)

Figure 10. Yearly Lots Produced and Remaining Forecasts 2014-15 to 2016-17



3.B.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

1. Livable Housing

Community Strategic Plan 2010-2030

The Planning Proposal is consistent with the former Great Lakes Council's *Community Strategic Plan 2010-2030 (Great Lakes 2030)*. The Community Plan represents the long term aspirations for the area and encompasses an overarching vision developed by the community and objectives and strategies to achieve community goals.

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

Social justice principles

The Social Justice Principles of equity, access, participation and rights underpinned the development of the Strategic Plan.

Equity: There should be fairness in decision making, prioritising and allocation of resources, particularly for those in need. Everyone should have a fair opportunity to participate in the future of the community. The planning process should take particular care to involve and protect the interests of people in vulnerable circumstances

Access: All people should have fair access to services, resources and opportunities to improve their quality of life

Participation: Everyone should have the maximum opportunity to genuinely participate in decisions which affect their lives

Rights: Equal rights should be established and promoted, with opportunities provided for people from diverse linguistic, cultural and religious backgrounds to participate in community life

The Community Plan goes on to state:

the people

The Great Lakes region has experienced significant population growth over the last 10 years. Retirees and 'sea' and 'tree' changers and their families have been strongly represented in this growth. Recent population projections suggest that this trend will continue into the foreseeable future. Population growth is estimated to increase by an average of 1.42% per year between 2013-2031 (source: forecast.id).

how old are we?

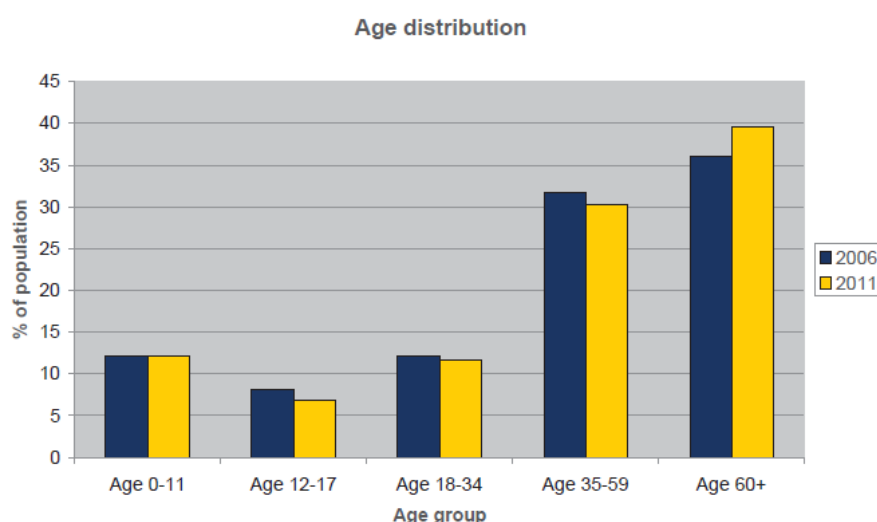
The population characteristics of the Great Lakes are similar to many regional east coast NSW councils, with a significantly higher proportion of retirement aged people and a lower proportion of young people. However in comparison to regional NSW the Great Lakes have a significantly higher proportion of people in the older age groups (60+ years). The regional percentage is 24.5% aged 60 and over, with the Great Lakes figure representing more than one-third of the population at 39.5%.

Between 2006-2011 the area's population increased by 5.1%. The age groups which represented the largest areas of growth were empty nesters/retirees (60 to 69), seniors (70 to 84) and elderly (85 and over) being illustrative of the area's significant retirement migration.

These growth areas and the area's higher proportion of people in the older age groups is also indicative of the lower number of households made up of couples with children, being 18% of households compared with 27% in regional NSW.

The lower proportion of young people is also a result of the limited availability of tertiary education and employment opportunities locally meaning that many young people who wish to

further their studies and early careers have to leave the area. This is a common trend in regional coastal areas.



Council's commitment to adapt and accommodate our existing and future community needs is then reflected in the key directions and objectives of this Plan:

Key Direction: vibrant and connected communities

Objective 9: Plan for sustainable growth and development Strategies

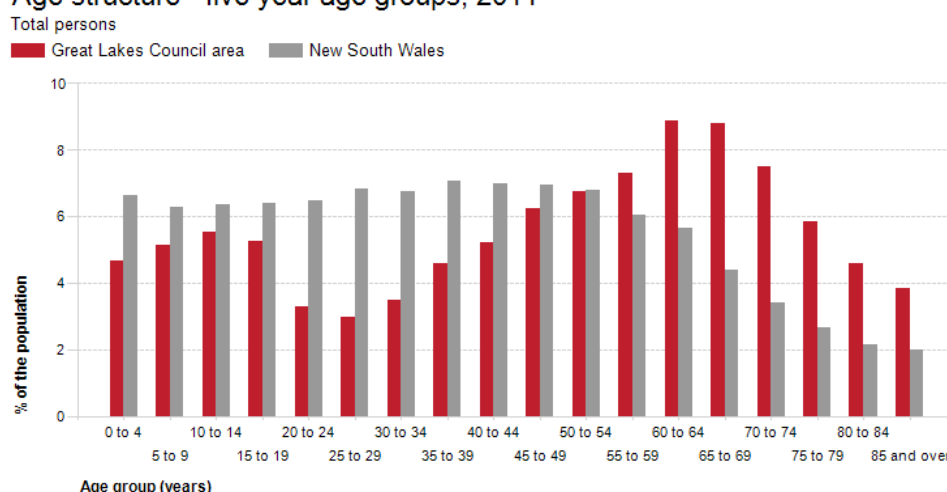
9.1 Manage growth to reflect current and future needs

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

Active Ageing Strategy

The Planning Proposal is also consistent with the former Great Lakes Council's *Active Ageing Strategy*, developed by Council in recognition that the former Great Lakes local government area has been identified as having the 'oldest' population in New South Wales. The divergence of demographics is illustrated in the following two graphs:

Age structure - five year age groups, 2011

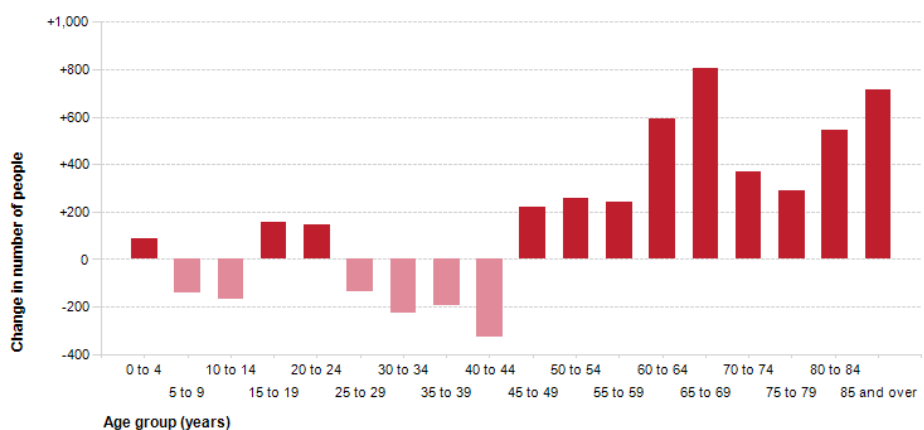


Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 (Usual residence data)
Compiled and presented in profile.id by .id, the population experts.

.id the population experts

Change in age structure - five year age groups, 2001 to 2011

Great Lakes Council area - Total persons



Source: Australian Bureau of Statistics, Census of Population and Housing, 2001 and 2011 (Usual residence data)
Compiled and presented in profile.id by .id, the population experts.

.id
the population
experts

Dominant groups

Analysis of the five year age groups of the Great Lakes region in 2011 compared to New South Wales shows that there was a lower proportion of people in the younger age groups (under 15) and a higher proportion of people in the older age groups (65+).

Overall, 15.4% of the population was aged between 0 and 15, and 30.6% were aged 65 years and over, compared with 19.3% and 14.7% respectively for New South Wales. The major differences between the age structure of the Great Lakes region and New South Wales were:

- o A larger percentage of persons aged 65 to 69 (8.8% compared to 4.4%)
- o A larger percentage of persons aged 70 to 74 (7.5% compared to 3.4%)
- o A smaller percentage of persons aged 25 to 29 (3.0% compared to 6.8%)
- o A smaller percentage of persons aged 30 to 34 (3.5% compared to 6.8%)

Emerging groups

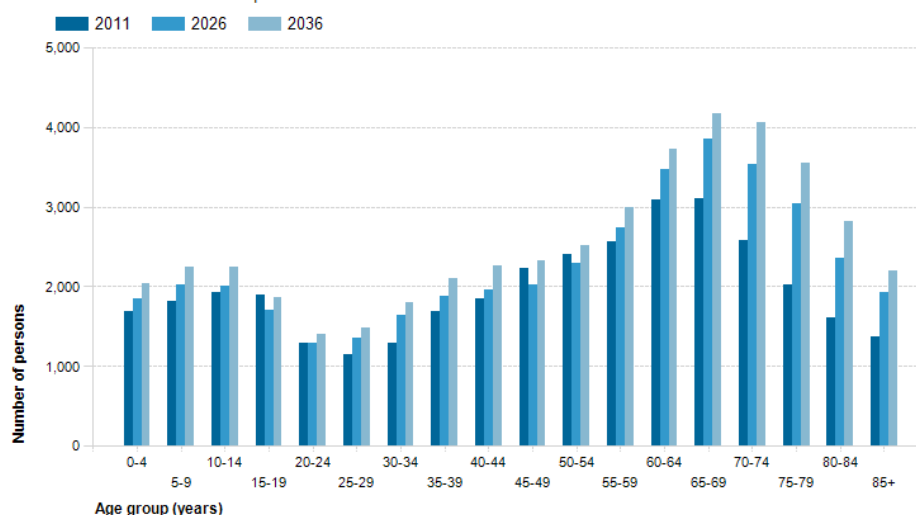
From 2001 to 2011, the Great Lakes region's population increased by 3,228 people (10.3%). This represents an average annual population change of 0.99% per year over the period. The largest changes in age structure in this area between 2001 and 2011 were in the age groups:

- o 65 to 69 (+804 persons)
- o 85 and over (+712 persons)
- o 60 to 64 (+591 persons)
- o 80 to 84 (+544 persons)

Furthermore, the growth in these age groups is expected to increase as between 2011 and 2026, the age structure forecasts for the Great Lakes region indicate a 8.1% increase in population under working age, a 37.7% increase in population of retirement age, and a 4.6% increase in population of working age.

Forecast age structure - 5 year age groups

Great Lakes Council area - Total persons

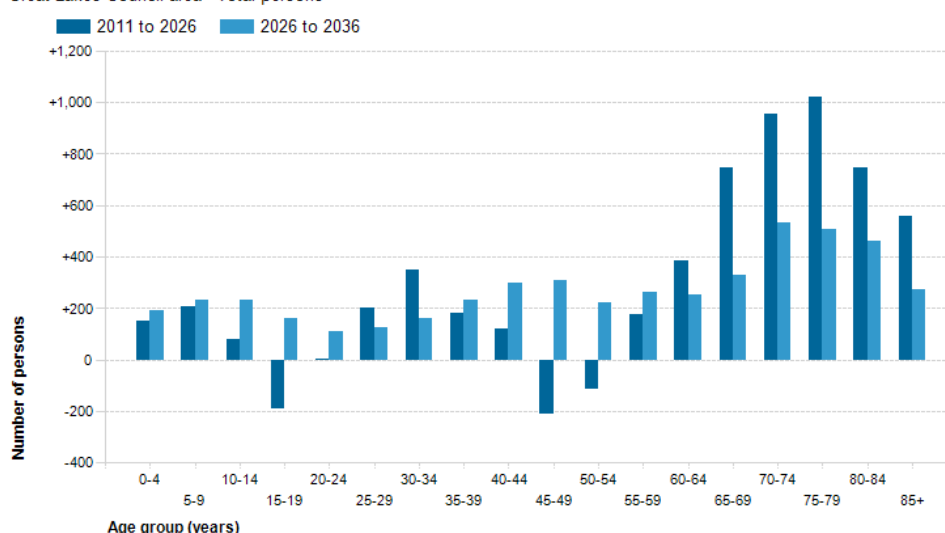


Population and household forecasts, 2011 to 2036, prepared by .id the population experts, February 2014.

.id
the population experts

Forecast change in age structure - 5 year age groups

Great Lakes Council area - Total persons



Population and household forecasts, 2011 to 2036, prepared by .id the population experts, February 2014.

.id
the population experts

Knowledge of how the age structure of the population is changing is essential for planning age-based facilities and services, such as child care, recreation and aged care.

The forecast age groups of the Great Lakes region is a function of the current age of the population (people aging each year, being born and dying) as well as the age of people migrating into and out of the area. This in turn is driven by location (fringe, city centre, regional or rural) the existing housing stock (separate dwellings, medium or high density), the amount and type of new residential development (same as existing stock, or diversifying) and where the area is in a cycle of change. We call this the area's residential role and function.

Source: Australian Bureau of Statistics, Census of Population and Housing 2001 and 2011. Compiled and presented by .id, the population experts.

Based on these demographics, the former Great Lakes Council resolved in December 2012 to become a Centre of Excellence for Ageing. This was followed by the development of the Active Ageing Strategy during 2014 and acceptance as a member of the World Health Organisation's (WHO) Global Network of Age-friendly Cities and Communities in December 2014. A copy of the Strategy is available on Council's

website at: www.midcoast.greatlakes.nsw.gov.au/Community-Recreation/Ageing-and-Disability-Matters/Building-an-Age-Friendly-Community a copy is also provided in Appendix C to this Planning Proposal.

Membership of the network is not an accreditation. Rather, it is a demonstration of our commitment to continually improve the age-friendliness of the former Great Lakes. In this regard, the Strategy incorporates the following provisions and recommendations with regards to the provision of accessible and adaptable housing in response to these demographic trends:

WHO Age-friendly Cities and Communities Housing Domain

Overview

Includes housing choice and affordability, home modifications, ability to age in place, and conveniently located.

Recommendations

Sufficient affordable housing is available close to services and the rest of the community. Interior spaces and level surfaces allow freedom of movement throughout the dwelling. Home modification options are available and affordable. Supported accommodation is available and affordable for older people who are frail or have a disability.

Goal

Older residents have access to housing that enables them to age at home and they are informed about options available if needs change

Strategic priorities

- *Planning for new housing developments incorporates design features that suit people across their lifespan*
- *Encourage developers to build homes to suit the whole of lifespan*
- *Support people to age safely in their own home*
- *Encourage the supply of affordable housing suitable for older residents*
- *Planning for older-age specific developments will be located close to amenities, services, and transport*

What Council can do

- a. *Encourage collaboration between all sectors involved in the design and development of urban spaces and housing to create more age-friendly places and spaces*
- b. *Coordinate education programs on home design that facilitates safe and comfortable ageing in place*
- c. *Market Livable Housing Design Guidelines to the community and provide incentives for local building designers to become accredited assessors*
- d. *Plan new developments including a focus on an ageing population and incorporate the principles of universal design across the design of neighbourhoods and housing*
- e. *Seek funding to develop Great Lakes-specific standards (with reference to Livable Housing Design Guidelines) that qualify for incentives under the LEP for high density and business zones*
- f. *Encourage the development of housing at lower price points to suit people on low incomes*

Given the expected overall population growth and the objectives of the Active Ageing Strategy, Council is seeking to provide all new residential development that is suitable for all ages and supports expanded development incentives to encourage the use of the *Livable Housing Design Guidelines* as a mechanism for this to occur.

2. Flexible zone boundaries in urban release areas

The provision of flexible zone boundaries in urban release areas is not identified in any local planning strategy. However, during the exhibition of Draft Great Lakes Local Environmental Plan 2012 (later gazetted as LEP 2014) submissions were received requesting inclusion of the Standard Instrument Principal LEP *Clause 5.3 Development near zone boundaries*.

At the time Council was not supportive of this clause being applied to the whole local government area given the potential for unintended consequences and land use conflict, particularly within existing urban areas.

However, further consideration has been given to the application of these provisions within new urban release areas to ensure the conservation and development objectives from site specific studies and strategies could be achieved on the ground, at the time of the initial subdivision and design of services and infrastructure.

3.B.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The Planning Proposal is considered to be generally consistent with applicable state environmental planning policies.

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

3.B.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is considered to be generally consistent with applicable S.117 Ministerial Directions.

A summary of the Planning Proposal's consistency with relevant s.117 Ministerial Directions is provided in Appendix E of this Planning Proposal.

Section C – Environmental, Social and Economic Impact

3.C.1 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?

1. Livable Housing

No. The replacement of *Australian Standard AS 4299—1995, Adaptable housing* provisions with *Livable Housing Design Guideline* requirements within LEP 2014 will not impact upon critical habitats, threatened species, populations or ecological communities or their habitats.

2. Flexible zone and development standard boundaries in urban release areas

No. The introduction of flexible zone boundary provisions within identified urban release areas will not impact upon critical habitats, threatened species, populations or ecological communities or their habitats.

The intention of the flexible zone boundary in urban release area provisions is to provide flexibility for development zones in a manner consistent with the *Standard Instrument - Principal Local Environmental Plan Clause 5.3*, which specifically excludes environmental zones which may have been identified for the protection of critical habitats, threatened species, populations or ecological communities or their habitats.

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

1. Livable Housing

No. The replacement of *Australian Standard AS 4299—1995, Adaptable housing* provisions with *Livable Housing Design Guideline* requirements within LEP 2014 will not have any environmental effects.

2. Flexible zone and development standard boundaries in urban release areas

No. The introduction of flexible zone boundary provisions within identified urban release areas will not have any environmental impacts.

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

1. Livable Housing

Social

Various state and local strategies encompassing the MidCoast region forecast a continuing trend of an increase in the number of retirement aged people, resulting in a community largely comprising of people over the age of 60 years.

With a predominately aging population these strategies identify that there will be a fundamental and urgent need to create appropriate housing types to accommodate the growing number of disabled people and those with limited mobility. The planning proposal will assist in providing adaptable and easy care housing for an aging population by incorporating the *Livable Housing Design Guideline* into LEP 2014.

It is acknowledged that “ageing in place” has many positive social benefits to the individual and the community. It may be seen as an advantage in terms of providing a sense of attachment or connection, as well as providing feelings of security and familiarity with regard to both homes and communities. Individuals who choose to stay in their homes, as opposed to relocating to an aged care facility, are able to retain a sense of identity both through independence and autonomy and through caring relationships and roles in the places where they live.

Through amending local planning controls, the planning proposal seeks to support individuals to stay in their homes for longer, without the need to relocate to a nursing home or similar aged care facility.

By assisting people to easily and affordably adapt their houses to suit their needs in their older years will keep older people, capable of living independently, in their homes for longer and reduce the pressure for to prematurely move people into aged care facilities.

The planning proposal will assist in promoting a greater diversity of housing choices and promote the construction of housing purposefully designed to better suit the needs of an aging community.

Economic

Assisting people to age in place through adaptable forms of housing is generally more affordable for individuals. Many older people in the MidCoast region own their own home, hence the ability to modify their homes is more affordable than the cost of relocating to an aged care facility.

As such the planning proposal will promote housing that is more readily adaptable for older people so they can continue to stay in their homes, and avoid the financial burden associated with relocating to an aged care facility.

Ageing in place can yield cost savings for families, government, and health systems. Through encouraging older people to stay active and independent in their own homes, people are more likely to continue a more active lifestyle.

It is widely accepted that a more active and independent lifestyle reduces the likelihood of mental health conditions, such as depression and anxiety, and the onset of other health related problems which incur from a less active lifestyle in a care facility. This in turn places less pressure on government health systems and overall the economic cost to the community for provision of healthcare.

The planning proposal help facilitate the community to age in place, creating healthier communities and placing less burden on government healthcare.

Local demand for adaptable housing is likely to increase as retirees seek out housing that will assist them to remain in place in their later years. The increase in demand may potentially result in the creation of specialist builders and designers skilled in the construction adaptable housing. This in turn has the ability to create local jobs and positively impact the local economy.

The local real estate market will potentially be influenced by the inclusion of the Livable Housing Guidelines in the local planning framework. The rating system will allow properties which meet the guidelines to be accredited and easily identified. Local agents can market these houses which are likely to yield higher prices, as they are an attractive housing option and provide a sound investment for resale and rental.

The planning proposal will assist promote housing diversity and whilst it aids housing affordability for the individual choosing to age in place, it also offer the potential for increasing in property values as this type of housing increases in demand..

2. Flexible zone boundaries in urban release areas

Social

The social effects relating to the creation of flexible zone boundaries in urban release areas are not direct or significant. The proposed amendment to LEP 2014 to create more flexibility with regards to zone and development standard boundaries may result in landowners and developers choosing to progress development opportunities in the short to medium term. This in turn may increase additional housing or tourist related facilities, creating more services and employment opportunities for the local community.

Economic

The planning proposal will provide greater certainty and clarification to landowners and developers with regard to their legal entitlement for development. There are several factors which drive development including market trends, economic stability and financial risk. The proposed amendment will provide assurances to developers which will assist the delivery of forecast economic outcomes.

Council has undertaken detailed environmental studies of urban release areas. The ability to increase the footprint of a development, where a proposal has strategic merit, provides an efficient use of infrastructure, therefore providing economic incentive to developers. Flexible zone boundary provisions will facilitate better subdivision, provision of services and infrastructure in an urban release area, making development more financially viable and appealing to developers.

Section D – State and Commonwealth Interests

3.D.1 Is there adequate public infrastructure for the planning Proposal?

There are no public infrastructure implications associated either the introduction of Livable Housing Design Guidelines or Flexible zone boundaries in urban release area provisions of the planning proposal.

3.D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The following public agencies have been identified for consultation during public exhibition:

- NSW Department of Family and Community Services - Housing;
- NSW Office of Environment and Heritage;
- MidCoast Water;
- NSW Road and Maritime Services;
- NSW Rural Fire Service

Should the Proposal be significantly amended as a result of agency consultation, it may be reported back to Council and the Department of Planning and Environment for an amended Gateway Determination.

PART 4 - MAPPING

1. Livable Housing

The Planning Proposal will primarily require amendments to existing clauses in Great Lakes Local Environmental Plan (LEP) 2014 or the creation of additional clauses. No mapping amendments are proposed.

2. Flexible zone and development standard boundaries in urban release areas

The proposed amendment to allow for flexible zone and development standard boundaries in urban release areas will require the creation of a map layer that identifies where the clause will apply.

In this regard, the proposed "Development near zone and development standard boundaries" clause is expected to identify several urban release precincts within the existing Great Lakes LEP 2014 and these precincts may be identified within a "*Flexible Zone Boundary Area*" map layer.

At the time of preparing this Planning Proposal eight (8) precincts were identified, these are shown below. Additional precincts may be identified as the Proposal progresses through public exhibition and subsequent stages in the timeline. Should this occur, an amended Planning Proposal will be submitted to the Department of Planning & Environment prior to being forwarded to the Minister to be made as an amendment to Great Lakes LEP 2014.

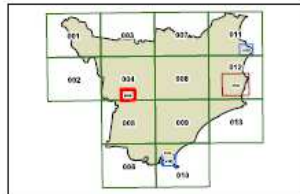
The proposed "Flexible Zone Boundary Area" maps for the eight (8) precincts are shown below.

Flexible Zone Boundary Area Map
- Sheet FZB_004B

 Flexible Zone Boundary Urban Release Area

Cadastral

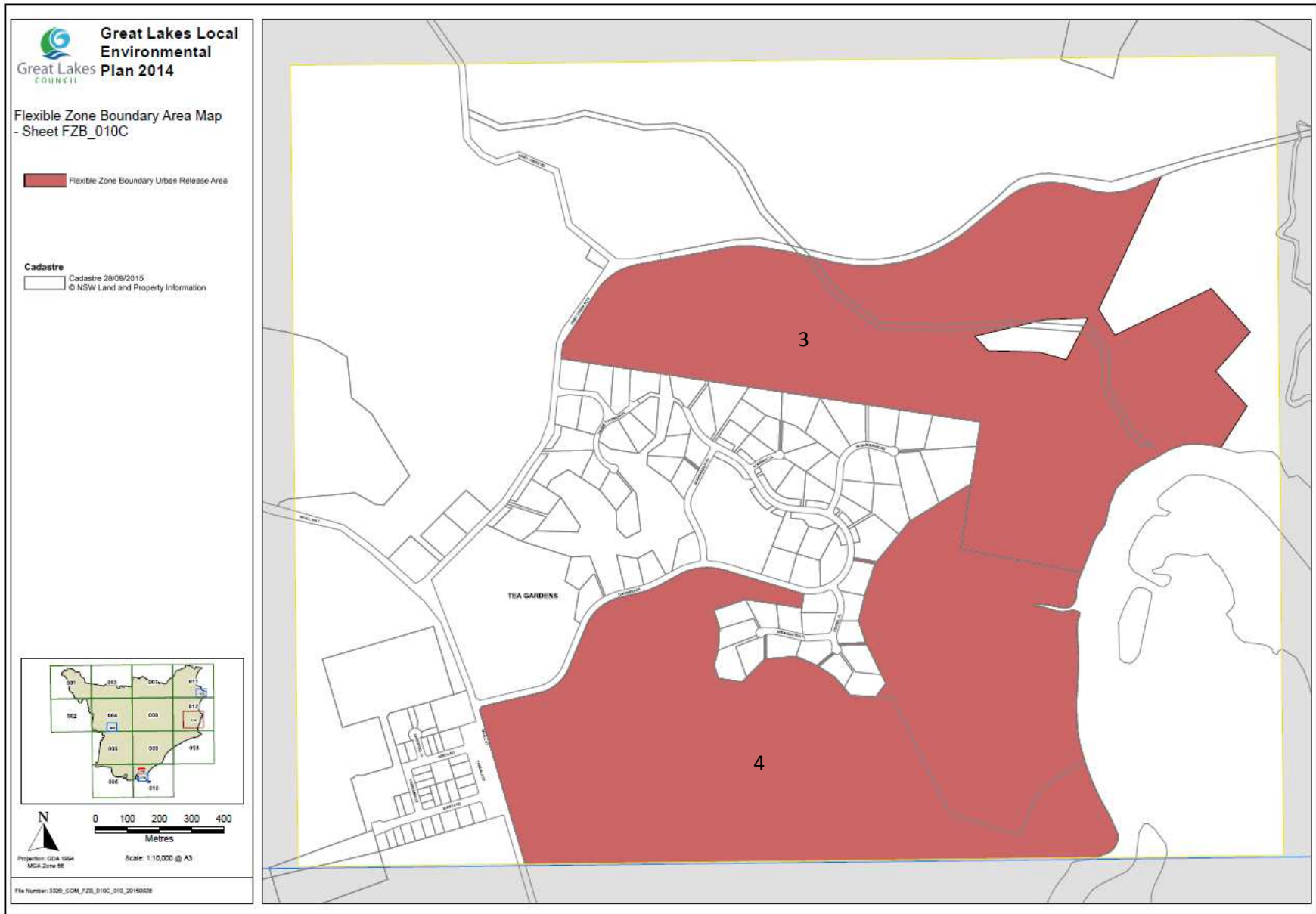
 Cadastral 28/06/2015
© NSW Land and Property Information



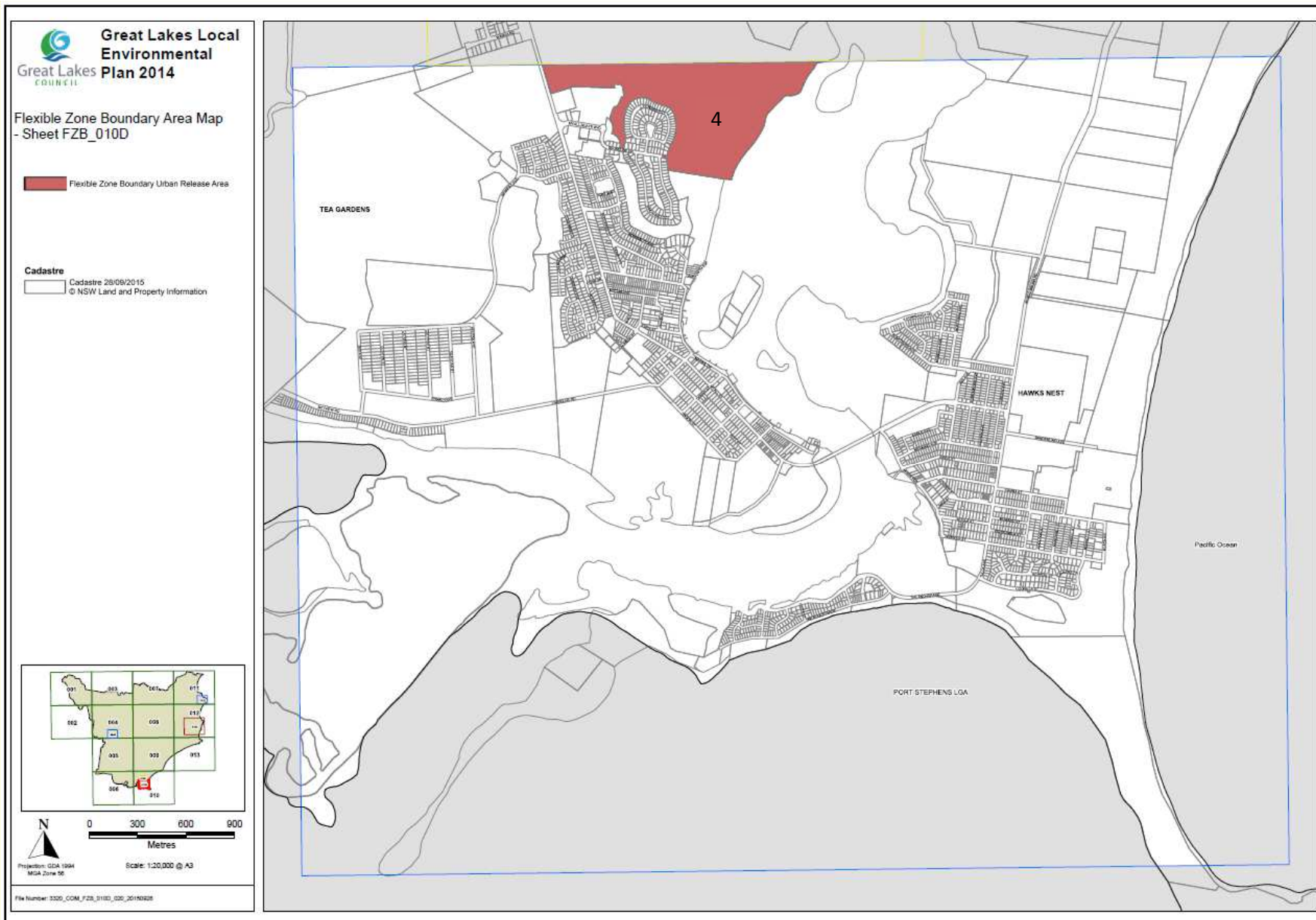
File Number: 3325_COM_FZB_004B_03_20160603



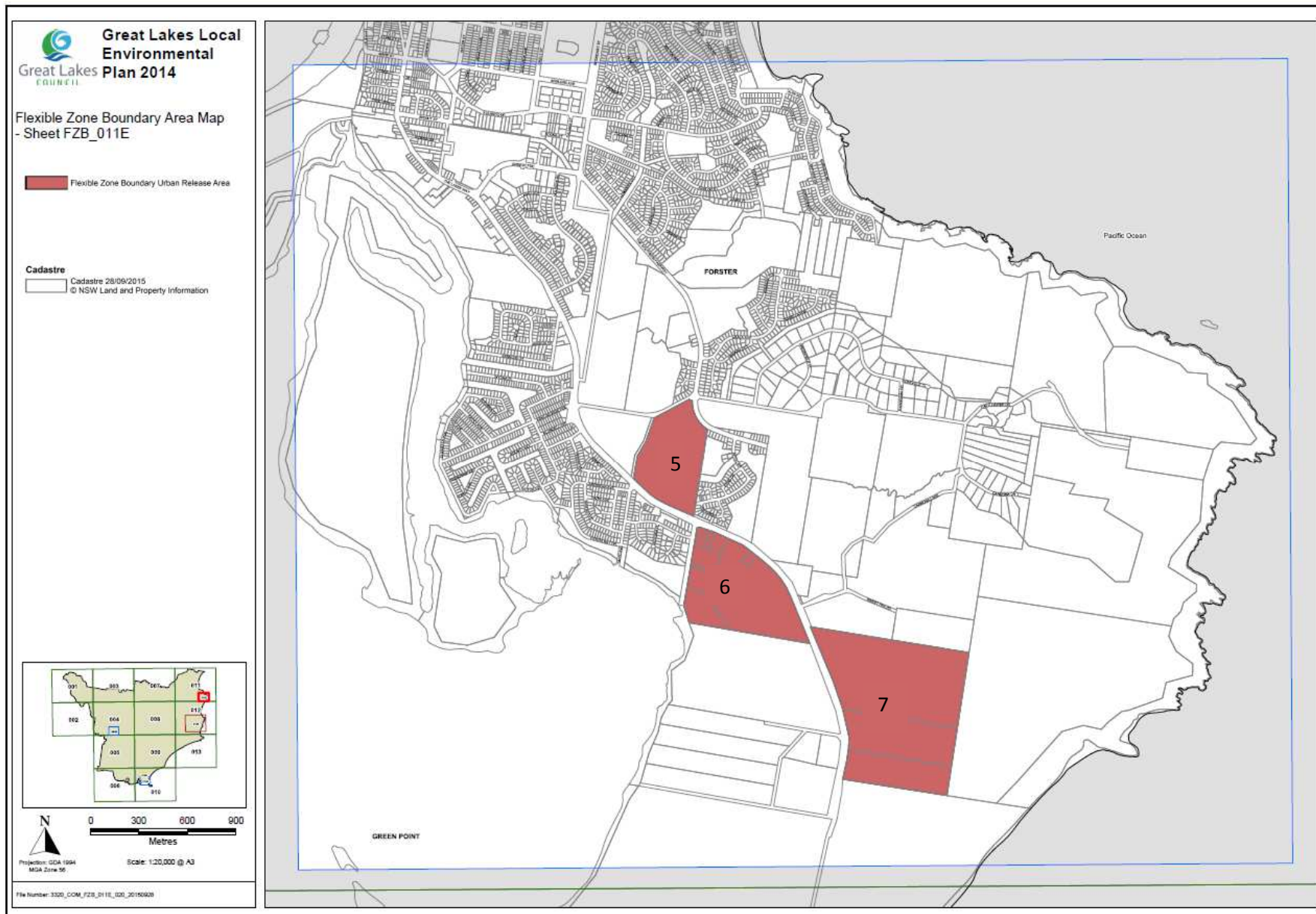
Map 1: Proposed Flexible Zone Boundary Area 1. Briton Court Rd, Stroud & 2. Simmsville Road, Stroud Precincts



Map 2: Proposed Flexible Zone Boundary Area 3. North Shearwater, Tea Gardens & 4. Riverside, Tea Gardens Precincts



Map 3: Proposed Flexible Zone Boundary Area 4. Riverside, Tea Gardens Precinct



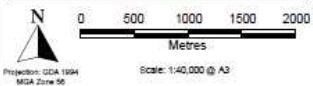
Map 4: Proposed Flexible Zone Boundary Area 5. Fairview West, South Forster, 6. Folly Foot Farm, South Forster & 7. Seven Mile Beach, South Forster Precincts

Flexible Zone Boundary Area Map
- Sheet FZB_012A

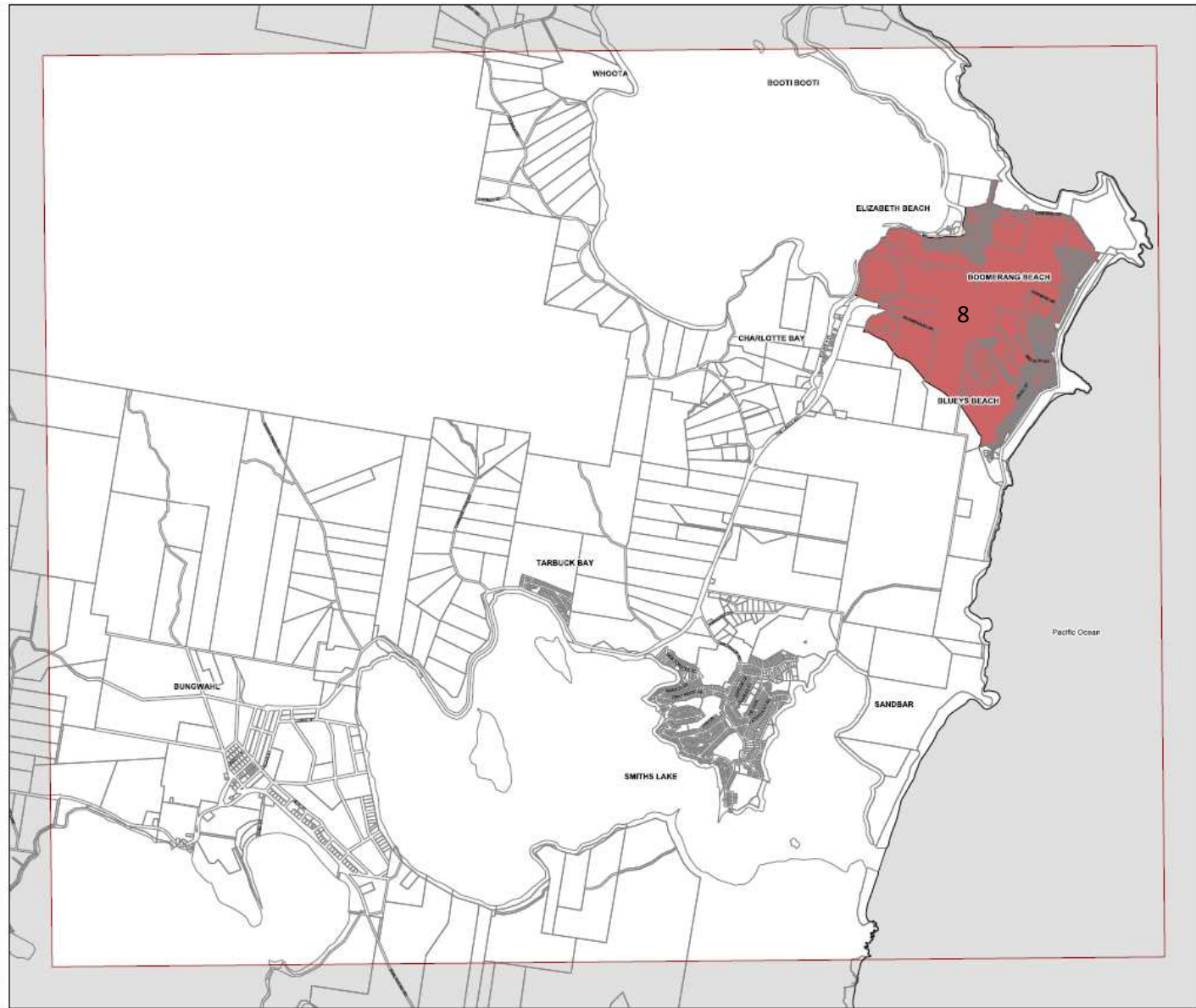
Flexible Zone Boundary Urban Release Area

Cadastral

Cadastral 28/05/2015
© NSW Land and Property Information



File Number: 3320_COM_FZB_012A_040_20160208



Map 5: Proposed Flexible Zone Boundary Area

8. Pacific Palms Precinct

PART 5 - COMMUNITY CONSULTATION

In accordance with Section 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979*, this Planning Proposal will be made publically available for a minimum of 28 days.

In accordance with Council's adopted consultation protocols the following will also be undertaken:

- Notices in the local newspaper;
- Direct mail notification to the owners of the land within the nominated urban release areas;
- Exhibition material and all relevant documents will be available at Council's Administrative and District Offices;
- Exhibition material and all relevant documents will be available on Council's website.

Any further consultation required by the Gateway Determination will also be undertaken.

PART 6 - PROJECT TIMELINE

In accordance with the Department of Planning and Environment 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	-	8 September 2015
Lodgement of Planning Proposal for Gateway Determination	Council	-	November 2016
Gateway Determination Issued	Minister for Planning	-	December 2016
Consultation with Public Authorities in accordance with Gateway Determination	Council	Minimum 21 days	January /February 2017
Public exhibition of Planning Proposal	Council	Minimum 28 days	January /February 2017
Report to Council	Council	-	March 2017
Lodgement of Planning Proposal (with any amendments as a result of submissions)	Council	-	April 2017
Making of local environmental plan	Minister for Planning and Infrastructure	6 – 8 weeks	May 2017

PART 7 - CONCLUSION

The primary aims of the Planning Proposal are to amend the existing development standards of Great Lakes Local Environmental Plan (LEP) 2014 to:

1. Provide an incentive to increase the provision of livable housing in the Great Lakes;
2. Introduce flexible zone boundary provisions for urban release areas to facilitate subdivision and development after rezoning.

Council seeks to facilitate new residential development that provides for flexible use and ageing-in-place for the residents of the region. The proposed amendment to LEP 2014 is expected to deliver a more flexible and user-friendly method for the design and construction of this housing.

Furthermore these provisions will result in housing that is accessible and adaptable, having significant social and economic benefits to the aged and ageing population within the local area. The proposed initiatives and development bonuses will be available throughout the former Great Lakes local government area and reflect Council's aim of becoming a Centre for Excellence in Ageing.

The planning proposal also explains and provides justification for the inclusion of provisions relating to flexible zone and development standard boundaries for urban release area. These provisions will significantly assist in providing certainty and clarity for development proposals where zone and development standard boundaries have not been accurately mapped during the rezoning process.

The new provisions will allow the subdivision and development of urban release areas in an efficient and effective manner, providing improved environmental and economic development outcomes.

The Proposal is consistent with all applicable SEPPs and with Section 117 Directions as they apply to the planning proposal and are considered to have significant merit.

Appendix D – Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
State Environmental Planning Policy No 1—Development Standards	SEPP 1 does not apply to land affected by Great Lakes LEP 2014.	SEPP 1 does not apply to land affected by Great Lakes LEP 2014.
State Environmental Planning Policy No 14—Coastal Wetlands	The application of SEPP 14 will not be affected by this planning proposal.	The application of SEPP 14 will not be affected by this planning proposal.
State Environmental Planning Policy No 19—Bushland in Urban Areas	Not applicable	Not applicable
State Environmental Planning Policy No 21—Caravan Parks	The planning proposal is consistent with the application of SEPP 21. Any dwellings proposed in accordance with SEPP 21 would be able to apply for the proposed development incentives if designed and constructed in accordance with the Livable Housing Design Guidelines.	The application of SEPP 21 will not be affected by this planning proposal.
State Environmental Planning Policy No 26—Littoral Rainforests	The application of SEPP 26 will not be affected by this planning proposal.	The application of SEPP 26 will not be affected by this planning proposal.
State Environmental Planning Policy No 30—Intensive Agriculture	The application of SEPP 30 will not be affected by this planning proposal.	The application of SEPP 30 will not be affected by this planning proposal.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	Not applicable	Not applicable
State Environmental Planning Policy No 36—Manufactured Home Estates	The planning proposal is consistent with the application of SEPP 36. Any dwellings proposed in accordance with SEPP 36 would be able to apply for the proposed development incentives if designed and constructed in accordance with the Livable Housing Design Guidelines.	The application of SEPP 36 will not be affected by this planning proposal.
State Environmental Planning	The application of SEPP 44 will	The application of SEPP 44 will

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
Policy No 44—Koala Habitat Protection	not be affected by this planning proposal.	not be affected by this planning proposal.
State Environmental Planning Policy No 47—Moore Park Showground	Not applicable	Not applicable
State Environmental Planning Policy No 50—Canal Estate Development	Not applicable	Not applicable
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable	Not applicable
State Environmental Planning Policy No 55—Remediation of Land	The application of SEPP 55 will not be affected by this planning proposal.	The application of SEPP 55 will not be affected by this planning proposal.
State Environmental Planning Policy No 62—Sustainable Aquaculture	The application of SEPP 62 will not be affected by this planning proposal.	The application of SEPP 62 will not be affected by this planning proposal.
State Environmental Planning Policy No 64—Advertising and Signage	Not applicable	Not applicable
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	The planning proposal is consistent with the application of SEPP 65. Any dwellings proposed in accordance with SEPP 65 would be able to apply for the proposed development incentives if designed and constructed in accordance with the Livable Housing Design Guidelines. The Apartment Design Guidelines associated with SEPP 65 state: Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members.	The application of SEPP 65 will not be affected by this planning proposal.

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
	Design guidance: Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Design Guidelines' silver level universal design features. Objective 4Q-2 A variety of apartments with adaptable designs are provided Design guidance: Adaptable housing should be provided in accordance with the relevant council policy Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs Design guidance: Apartment design incorporates flexible design solutions	
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	SEPP 70 does not apply to land affected by Great Lakes LEP 2014.	SEPP 70 does not apply to land affected by Great Lakes LEP 2014.
State Environmental Planning Policy No 71—Coastal Protection	The application of SEPP 71 will not be affected by this planning proposal.	The planning proposal is consistent with the objectives of SEPP 71. Standard Instrument Principal LEP Clause 5.3 states that "the clause does not apply to land within the coastal zone". It is Council's intention to retain this exclusion within the 'flexible zone and development standard boundaries in urban release areas' clause in Great Lakes LEP 2014, as documented in Part 2 of this planning proposal.
State Environmental Planning Policy (Affordable Rental	The planning proposal is consistent with the application of	The application of the Affordable Rental Housing SEPP will not be

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
Housing) 2009	SEPP 70. Any dwellings proposed in accordance with SEPP 70 would be able to apply for the proposed development incentives if designed and constructed in accordance with the Livable Housing Design Guidelines.	affected by this planning proposal.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The application of the Building Sustainability Index: BASIX SEPP will not be affected by this planning proposal.	The application of the Building Sustainability Index: BASIX SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	The application of the Exempt and Complying Development Codes SEPP will not be affected by this planning proposal.	The application of the Exempt and Complying Development Codes SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	The application of the Exempt and Complying Development Codes SEPP will not be affected by this planning proposal.	The application of the Exempt and Complying Development Codes SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (Infrastructure) 2007	The application of the Infrastructure SEPP will not be affected by this planning proposal.	The planning proposal is consistent with the objectives of the Infrastructure SEPP. The intention of the "flexible zone and development standard boundaries in urban release areas" clause in Great Lakes LEP 2014, is to assist in the provision of conservation and development outcomes for an urban release area, including the provision of services and infrastructure, as documented in Part 2 of this planning proposal.
State Environmental Planning Policy (Integration and Repeals) 2016	The planning proposal is consistent with the application of the Integration and Repeals SEPP. Any dwellings proposed in accordance with the Integration and Repeals SEPP would be able to apply for the proposed development incentives if designed and constructed in accordance with the Livable	The application of the Integration and Repeals SEPP will not be affected by this planning proposal.

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
	Housing Design Guidelines.	
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable	Not applicable
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not applicable	Not applicable
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	The application of the Mining, Petroleum Production and Extractive Industries SEPP will not be affected by this planning proposal.	The application of the Mining, Petroleum Production and Extractive Industries SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	The application of the Miscellaneous Consent Provisions SEPP will not be affected by this planning proposal.	The application of the Miscellaneous Consent Provisions SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not applicable	Not applicable
State Environmental Planning Policy (Rural Lands) 2008	The application of the Rural Lands SEPP will not be affected by this planning proposal.	The application of the Rural Lands SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (State and Regional Development) 2011	The application of the State and Regional Development SEPP will not be affected by this planning proposal.	The application of the State and Regional Development SEPP will not be affected by this planning proposal.
State Environmental Planning Policy (State Significant Precincts) 2005	Not applicable	Not applicable
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not applicable	Not applicable
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable	Not applicable
State Environmental Planning Policy (Three Ports) 2013	Not applicable	Not applicable
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable	Not applicable

State Environmental Planning Policy	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable	Not applicable
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not applicable	Not applicable

S117 Ministerial Direction	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
1. Employment and Resources		
1.1 Business and Industrial Zones	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction. The provision of flexible zone and development standard boundaries in urban release areas is proposed to assist in the timely subdivision and release of recently rezoned land, particularly for residential and employment purposes.
1.2 Rural Zones Aims to protect the agricultural production value of rural lands.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
1.4 Oyster Aquaculture	Not applicable	Not applicable
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.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
2. Environment and Heritage		
2.1 Environmental Protection Zones Aims to conserve and protect environmentally sensitive areas.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
2.2 Coastal Protection	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not	The introduction of flexible zone boundary provisions within identified urban release areas is

S117 Ministerial Direction	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
	inconsistent with this Direction.	not inconsistent with this Direction.
2.3 Heritage Conservation Aims to conserve items and places of heritage significance and indigenous heritage significance.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
2.4 Recreation Vehicle Areas Aims to protect sensitive lands with significant vegetation value from the adverse impacts of recreational vehicles	Not applicable	Not applicable
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones Aims to encourage a range of housing that makes efficient use of existing infrastructure and service that does not impact on the environment or resource lands.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction. The facilitation of Livable housing in all new residential development is in direct response to the aged and ageing population of the Great Lakes region.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction. The provision of flexible zone and development standard boundaries in urban release areas is proposed to assist in the timely subdivision and release of recently rezoned land, particularly for residential and employment purposes.
3.2 Caravan Parks and Manufactured Home Estates Aims to provide a variety of housing types including opportunities for caravan parks and manufactured home estates.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
3.3 Home Occupations Aims to encourage low impact businesses in dwelling houses.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	Not applicable
3.4 Integrating Land Use & Transport Aims to improve access by walking, public transport and other means that reduce private car travel	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.

S117 Ministerial Direction	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
dependencies.		
3.5 Development Near Licensed Aerodromes 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.	Not applicable	Not applicable
3.6 Shooting Ranges	Not applicable	Not applicable
4. Hazard & Risk		
4.1 Acid Sulfate Soils	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
4.2 Mine Subsidence and Unstable Land	Not applicable	Not applicable
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.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
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.	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
5. Regional Planning		
5.1 Implementation of Regional Strategies	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is consistent with this Direction. The facilitation of Livable housing	The introduction of flexible zone boundary provisions within identified urban release areas is consistent with this Direction. The provision of flexible zone and

S117 Ministerial Direction	Development Incentives for Livable Housing	Flexible Zone and development standard boundaries in Urban Release Areas
	in all new residential development is in direct response to the aged and ageing population of the Great Lakes region.	development standard boundaries in urban release areas is proposed to assist in the timely subdivision and release of recently rezoned land, particularly for residential and employment purposes.
5.2 Sydney Drinking Water Catchments	Not applicable	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	Not applicable
5.5 Revoked	Not applicable	Not applicable
5.6 Revoked	Not applicable	Not applicable
5.7 Revoked	Not applicable	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable	Not applicable
6. Local Plan Making		
6.1 Approval and Referral Requirements	The replacement of the Adaptable Housing AS with the Livable Housing Design Guidelines is not inconsistent with this Direction.	The introduction of flexible zone boundary provisions within identified urban release areas is not inconsistent with this Direction.
6.2 Reserving Land for Public Purposes	Not applicable	Not applicable
6.3 Site Specific Provisions	Not applicable	Not applicable
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Not applicable	Not applicable

