

FOR ACTION

COUNCIL MEETING

23/03/2023

TO: Team Leader Planning & Urban Design (Mills, Marcy)

Item Number: SC23/04
Subject: Draft Local Planning Controls for Woolgoolga (Draft DCP Controls for Woolgoolga Town Centre, Woolgoolga North West, Woolgoolga West and Associated Contributions Plans; Draft Planning Proposal to Remove Floor Space Ratio Controls from the Woolgoolga Town Centre - Pre Exhibition; and draft Woolgoolga Movement and Place Plan)
Target Date: 30/03/2023

Notes:

Resolution Number: 2023/48

RESOLVED (Cr Sally Townley / Cr Tegan Swan)

That Council:

1. Publicly exhibit draft Coffs Harbour Development Control Plan 2015 – Amendment No. 19 (Woolgoolga Town Centre, Woolgoolga North West and Woolgoolga West) (Attachment 1) for a minimum period of 28 days.
2. Publicly exhibit draft Woolgoolga North West & Woolgoolga West Contributions Plan (Attachment 2) and draft Woolgoolga Town Centre Contributions Plan (Attachment 3) for a minimum period of 28 days.
3. Publicly exhibit draft Woolgoolga Movement and Place Plan (Attachment 4) for a minimum period of 28 days.
4. Initiate a planning proposal to remove floor space ratio controls from the three business centres within the Woolgoolga Town Centre (Attachment 5) and write to the NSW Department of Planning and Environment seeking a gateway determination.
5. Request that the Secretary of NSW Department of Planning and Environment issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.
6. Publicly exhibit the planning proposal and undertake government agency consultation in accordance with the gateway determination issued by the NSW Department of Planning and Environment.
7. Note that a further report will be brought back to Council for consideration following public exhibition of the draft DCP amendment and associated contributions plans, draft planning proposal and draft Woolgoolga Movement and Place Plan.

The Motion on being put to the meeting was carried unanimously.

CARRIED

SC23/04 DRAFT LOCAL PLANNING CONTROLS FOR WOOLGOOLGA (DRAFT DCP CONTROLS FOR WOOLGOOLGA TOWN CENTRE, WOOLGOOLGA NORTH WEST, WOOLGOOLGA WEST AND ASSOCIATED CONTRIBUTIONS PLANS; DRAFT PLANNING PROPOSAL TO REMOVE FLOOR SPACE RATIO CONTROLS FROM THE WOOLGOOLGA TOWN CENTRE - PRE EXHIBITION; AND DRAFT WOOLGOOLGA MOVEMENT AND PLACE PLAN)

Author: Team Leader Planning & Urban Design
Authoriser: Director Sustainable Communities
MyCoffs: C.1 Liveable neighbourhoods with a defined identity
Attachments: ATT1 SC23/04 Draft DCP 2015 - Amendment No. 19 (Woolgoolga Town Centre, Woolgoolga North West and Woolgoolga West)
 ATT2 SC23/04 Draft Woolgoolga North West and Woolgoolga West Contributions Plan
 ATT3 SC23/04 Draft Woolgoolga Town Centre Contributions Plan
 ATT4 SC23/04 Draft Woolgoolga Movement and Place Plan
 ATT5 SC23/04 Planning Proposal - Removal of Floor Space Ratio Controls (Woolgoolga Town Centre)
 ATT6 SC23/04 Floor Space Ratios - Analysis for Woolgoolga Town Centre
 ATT7 SC23/04 City of Coffs Harbour Fact Sheet - Floor Space Ratio

EXECUTIVE SUMMARY

The City of Coffs Harbour (City) has been working on a number of projects to implement key actions within the Woolgoolga Town Centre Masterplan and Coffs Harbour Local Growth Management Strategy (where they relate to Woolgoolga).

The purpose of this report is to seek endorsement from Council to publicly exhibit a package of draft local planning controls for the Woolgoolga Town Centre, Woolgoolga North West Urban Investigation Area and Woolgoolga West. This package includes a new special area chapter for the broader Woolgoolga locality to sit within Coffs Harbour Development Control Plan (DCP) 2015 and associated Contributions Plans, as well as a draft Woolgoolga Movement and Place Plan. This report also seeks approval from Council to initiate a planning proposal to remove floor space ratio controls from the three business centres within the Woolgoolga town centre.

RECOMMENDATION:

That Council:

1. Publicly exhibit draft Coffs Harbour Development Control Plan 2015 – Amendment No. 19 (Woolgoolga Town Centre, Woolgoolga North West and Woolgoolga West) (Attachment 1) for a minimum period of 28 days.
2. Publicly exhibit draft Woolgoolga North West & Woolgoolga West Contributions Plan (Attachment 2) and draft Woolgoolga Town Centre Contributions Plan (Attachment 3) for a minimum period of 28 days.
3. Publicly exhibit draft Woolgoolga Movement and Place Plan (Attachment 4) for a minimum period of 28 days.
4. Initiate a planning proposal to remove floor space ratio controls from the three business centres within the Woolgoolga Town Centre (Attachment 5) and write to the NSW Department of Planning and Environment seeking a gateway determination.
5. Request that the Secretary of NSW Department of Planning and Environment issue written authorisation to Council to exercise delegation of the plan making functions

under Section 3.36(2) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.

6. Publicly exhibit the planning proposal and undertake government agency consultation in accordance with the gateway determination issued by the NSW Department of Planning and Environment.
7. Note that a further report will be brought back to Council for consideration following public exhibition of the draft DCP amendment and associated contributions plans, draft planning proposal and draft Woolgoolga Movement and Place Plan.

REPORT

Description of Item:

Since the adoption of the Woolgoolga Town Centre Masterplan and Coffs Harbour Local Growth Management Strategy (LGMS) 2020, the City has been working on a number of projects to implement key actions within the Masterplan and LGMS (where they relate to Woolgoolga).

At its meeting of 11 June 2020, Council resolved to initiate a planning proposal to implement actions from the Masterplan relating to land zoning and maximum buildings heights, within the Woolgoolga Town Centre as follows:

That Council:

1. *Endorse and forward a planning proposal (Attachment 1) for Coffs Harbour Local Environmental Plan 2013 - Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Master Plan and Local Growth Management Strategy Design Excellence for Industrial Areas) to NSW Department of Planning, Industry and Environment for determination pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979 with the removal of Item No. 3 Amendment to LEP 2013 Floor Space Ratio Map (FSR_005).*
2. *Request that the Secretary of NSW Department of Planning, Industry and Environment issue written authorisation to Council to exercise delegation of the plan making functions pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979 for Coffs Harbour Local Environmental Plan 2013 -Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Master Plan and Local Growth Management Strategy Design Excellence for Industrial Areas).*
3. *Resolve to publicly exhibit for a period of 40 days a planning proposal for Coffs Harbour Local Environmental Plan 2013 - Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Master Plan and Local Growth Management Strategy Design Excellence for Industrial Areas) following determination by NSW Department of Planning, Industry and Environment pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.*
4. *Note that a further report will be brought back to Council for consideration following public exhibition of a planning proposal for Coffs Harbour Local Environmental Plan 2013 - Housekeeping Amendment No. 3 (including Woolgoolga Town Centre Master Plan and Local Growth Management Strategy Design Excellence for Industrial Areas).*
5. *Consider a further report on amendments to the Floor Space Ratio controls to support the intent of the Woolgoolga Town Centre Master Plan.*

Items 4 and 5 of this resolution were further considered by Council at its meeting of 26 November 2020. The report presented to Council at this meeting noted that an analysis was being undertaken by the City in relation to floor space ratio controls within the Woolgoolga town centre and that a further report would be provided to Council on this matter at a later date. The report also noted that additional studies were underway to address actions contained within the Woolgoolga Town Centre Masterplan, including an amendment to Coffs Harbour DCP 2015 and the development of a Place and Movement Plan to address transport and movement within Woolgoolga.

The purpose of this report is to seek endorsement from Council to publicly exhibit a package of draft local planning controls for the broader Woolgoolga locality, as part of the implementation of the Woolgoolga Town Centre Masterplan and the Coffs Harbour LGMS 2020. These amendments include a new chapter for Woolgoolga to sit within Coffs Harbour DCP 2015 comprising controls for the Woolgoolga Town Centre, Woolgoolga North West, Woolgoolga West (formally called West Woolgoolga) and associated Contributions Plans; a draft Woolgoolga Movement and Place Plan for the Woolgoolga town centre (noting a name change from place and movement plan to align with the City's draft Movement and Place Strategy); and a planning proposal to remove floor space ratio controls from the three business centres within the Woolgoolga town centre.

Issues:***Proposed DCP Controls - Woolgoolga Town Centre***

The Woolgoolga Town Centre Masterplan includes an action to temporarily relax minimum parking requirements for development in the town centre. The intent is to promote commercial activity and development. It is generally recognised in the industry that minimum parking requirements lack accuracy and efficiency. The result is that they often over-prescribe the required amount of on-site parking and consequently unnecessarily constrain development via excessive parking and associated costs.

The draft planning controls include changes to minimum parking requirements for both residential and commercial development within the Woolgoolga town centre. The new controls do not prescribe as many on-site parking spaces for small residential dwellings, noting that proponents can provide more than the specified minimums. This planning control change will also assist in providing affordable housing opportunities. Requirements for on-site spaces for visitors as part of residential development are also proposed to be removed. It has been identified through industry consultation, that this is one of the primary controls inhibiting development viability and that such requirements are unnecessary because visitors generally park in the street, as they have adequate parking supply. The proposed requirements will not require commercial uses, such as business and office premises, shops and cafes, to meet a specified minimum number of on-site spaces. Instead, proponents will be required to show that the proposed number of on-site spaces is suitable for the development and will not create significant additional demand for on-street car parking in surrounding streets.

A draft Woolgoolga Movement and Place Plan (Attachment 4) has been developed for the Woolgoolga town centre to support the proposed changes to the parking requirements and ensure that other modes of transport (walking, bike riding and buses) are improved for the local community (see further discussion below). This draft Plan identifies areas of future parking supply and includes parking management measures to optimise use of existing parking and ensure that a sufficient supply is provided for the growing town centre. Parking surveys have also been undertaken during peak times for core parts of the town centre. The surveys show that existing parking within 400m of the town centre is less than 66% capacity and generally less than 85% within a 200m catchment (2 to 3-minute walk). The draft Plan recommends changes to parking time restrictions to discourage all-day or extended parking in central locations and to promote a higher turnover of car parks that are in more immediate or easy access to the shops. The City will periodically assess parking occupancy within the town centre to ensure that it remains within acceptable levels and can review its parking management strategy, if required, in the future.

Proposed DCP Controls - Woolgoolga North West & Woolgoolga West

Woolgoolga North West is an urban release area identified in the Coffs Harbour LGMS with an estimated yield of 1130 dwellings. This release area is made up of three large precincts: Newmans Road, Barkhut Road and Tramway Drive. The Newmans Road and Barkhut Road precincts have been rezoned for residential purposes, but cannot be developed until adequate planning controls are in place due to a key site clause within Coffs Harbour Local Environmental Plan (LEP) 2013. The Tramway Drive precinct has not been rezoned to date. The proposed DCP controls for this release area, will ensure that coordinated 'amenity focused' low to medium density housing can be provided in an environmentally sensitive manner.

The DCP amendment also proposes to move existing controls for the West Woolgoolga urban release area into a new DCP chapter for the broader Woolgoolga locality for simplicity, and to rename the release area as Woolgoolga West. The planning controls for this release area will remain largely the same, except for the intersection upgrade for Newmans Road and Solitary Islands Way, which is proposed to be a roundabout instead of traffic signals. A draft contributions plan has been prepared to support the two release areas (see discussion below).

Draft Woolgoolga Movement and Place Plan

A draft Woolgoolga Movement and Place Plan has been prepared to implement an action within the Woolgoolga Town Centre Masterplan to improve transport and movement networks within the town centre (Attachment 4).

The draft Plan maps out an integrated and prioritised path network for Woolgoolga (bike paths, shared paths and walking tracks); infrastructure to support the NSW Government's delivery of improved bus services; road and street network upgrades; future parking; and an adaptive parking management strategy (which supports the proposed amendments to the City's parking requirements discussed above). The plan includes detailed concept designs for town centre street improvements, that build upon the recommendations of the Woolgoolga Town Centre Masterplan. A draft contributions plan has also been developed for the Woolgoolga town centre to facilitate the implementation of high priority actions within this Plan (see discussion below). As the high priority projects are finalised, the Contributions Plan can be updated by the City to incorporate more actions from the Movement and Place Plan as the town centre grows. The draft Woolgoolga Movement and Place Plan adopts a parking-neutral approach to town centre upgrades and identifies supplementary "satellite parking."

In terms of the draft Plan, it has been developed cognisant of the community feedback that has arisen from the Woolgoolga Bike Lane Trial. The draft Plan outlines a long term goal to provide a safe, direct, central cycling entry to the town centre.

Draft Contributions Plans

Draft Contributions Plans have been developed for the Woolgoolga North West/Woolgoolga West release areas and the Woolgoolga Town Centre.

The draft Woolgoolga Town Centre Contributions Plan is a Section 7.12 plan, which will deliver high priority actions from the draft Woolgoolga Movement and Place Plan, comprising upgrades to Beach and Nightingale Streets; a Northern Entry Shared Way (upgraded shared path connecting Wiigulga Sports Complex with Lakes Road via Woolgoolga Tennis Courts / sports fields, Melaleuca Avenue and the planned new footbridge over Woolgoolga Creek) and Woolgoolga West Connection Shared Way (new pedestrian crossing over Solitary Islands Way and pathway to directly connect the Hubbard Street area with the River Street precinct).

The Woolgoolga North West and Woolgoolga West Contributions Plan is a Section 7.11 Plan, which includes a recoupment contribution towards the new signalised intersection at Centenary Drive/Solitary Islands Way and new shared path connections from the intersection and Wiigulga Sports Complex to the new release areas.

Floor Space Ratio Analysis - Woolgoolga Town Centre

The Woolgoolga Town Centre Masterplan contains a recommendation to undertake a detailed floor space ratio analysis. In 2022, the City engaged consultants Smith and Tzannes, to undertake this analysis for the three business centres within the town centre in accordance with the recommendations of the Masterplan (Attachment 6). The floor space ratio analysis has identified that current floor space ratio controls within Coffs Harbour LEP 2013, for Woolgoolga, act as a significant constraint to development and the achievement of the Masterplan's vision.

The analysis recommends the removal of floor space ratio controls for the three business centres, due to the wide variety of potential land uses and site dimensions. The analysis also recommends that instead of floor space ratio controls, Coffs Harbour DCP 2015 should provide appropriate controls relating to building frontages, landscaping, deep soil zones, private open space and solar access. A Fact Sheet on Floor Space Ratio is provided as Attachment 7 to this report, which explains that a combination of planning rules (i.e. maximum building heights, boundary setbacks, building

setbacks, landscaping and private open space) can be a more efficient and effective planning tool, in instances where site dimensions vary significantly.

In response to the findings of the floor space ratio analysis, a draft planning proposal has been prepared to remove floor space ratio controls from the three business centres within the Woolgoolga Town Centre (Attachment 5). Draft Coffs Harbour DCP 2015 – Amendment No. 19 (Woolgoolga Town Centre, Woolgoolga North West and Woolgoolga West) has also been developed to support the removal of the floor space ratio controls and address the recommendations contained within the analysis.

Options:

Council has a number of options available in relation to this matter. They include:

1. Resolve to adopt the recommendations of this report.
2. Resolve to undertake an alternative approach.

Option 1 is recommended as the suitable course of action.

Sustainability Assessment:

- **Environment**

Environmental sustainability issues have been considered in the preparation of the local planning controls, draft movement and place plan, and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Social**

Social sustainability issues have been considered in the preparation of the local planning controls, draft movement and place plan, and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Civic Leadership**

The planning proposal aligns with the 'MyCoffs Community Strategic Plan' by supporting our community to lead healthy active lives; attracting people to work, live and visit in the Coffs Harbour local government area; creating liveable places that are beautiful and appealing; and by undertaking development that is environmentally, socially and economically responsible.

- **Economic – Broader Economic Implications**

The proposed local planning controls are likely to result in positive economic implications for the regional city of Coffs Harbour by facilitating additional housing (including diverse and affordable housing) and employment opportunities. Implementation of a Movement and Place Plan, relaxation of outdated parking requirements and the removal of ineffectual floor space ratio controls within the Woolgoolga town centre will assist in attracting investment and revitalisation of the town in accordance with the vision of the Woolgoolga Town Centre Masterplan.

- **Economic - Delivery Program/Operational Plan Implications**

The recommendations contained within this report are unlikely to impact on the City's Delivery Program or Operational Plan, given that the amendments to the City's local planning controls are being undertaken as a business as usual process and that proposed infrastructure within the urban release areas and town centre upgrades are to be funded through development contributions.

Risk Analysis:

The proposed local planning controls implement actions contained within Council endorsed strategies that have been subject to extensive community consultation. Initial community engagement has also been undertaken as part of the development of the draft Woolgoolga Movement and Place Plan (see discussion below). A review of this draft plan has also been undertaken by an internal working group. The proposed public exhibition process will assist in further reducing the City's risk.

Consultation:

Initial community consultation has been undertaken as part of the development of the draft Woolgoolga Movement and Place Plan, including meetings with community stakeholders, developers, landowners and businesses. Two half day design charrettes were facilitated with community stakeholders, internal staff and Councillors. Should Council resolve to publicly exhibit the draft local planning controls and draft Woolgoolga Movement and Place Plan, and initiate the planning proposal, the documents will be exhibited in accordance with relevant legislation and the City's Community Participation and Engagement Plan 2021. Consultation with government agencies and other stakeholders may also be required if specified within the gateway determination for the planning proposal, which seeks to remove floor space ratio controls from the Woolgoolga town centre.

Related Policy, Precedents and / or Statutory Requirements:

The draft local planning controls have been prepared in accordance with relevant legislation. Relevant strategies, policies and statutory documents have been considered in the development of the draft planning controls and draft Woolgoolga Movement and Place Plan.

Implementation Date / Priority:

Should Council resolve to support the recommendations of this report, the draft planning controls, draft Woolgoolga Movement and Place Plan and draft planning proposal, will be placed on public exhibition. Should Council initiate the planning proposal, it will be forwarded to NSW Department of Planning and Environment, requesting a gateway determination. The timeframe for the completion of the planning proposal is governed by the Act and thus is determined by NSW Department of Planning and Environment. The draft planning proposal will be placed on public exhibition following receipt of a gateway determination. The outcomes of the public exhibition processes will be reported back to Council for consideration.

Conclusion:

The purpose of this report is to seek endorsement from Council to publicly exhibit a package of draft local planning controls for Woolgoolga and a draft Woolgoolga Movement and Place Plan, as part of the implementation of the Woolgoolga Town Centre Masterplan and the Coffs Harbour LGMS 2020 (where it relates to Woolgoolga).

The proposed local planning controls and Movement and Place Plan are likely to result in positive economic implications for the City by facilitating additional housing (including diverse and affordable housing) and employment opportunities. A further report will be brought back to Council for consideration following public exhibition of the draft DCP amendment and associated contributions plans, draft planning proposal and draft Movement and Place Plan.