

ITEM NO.**FILE NO: S9740-112****NORTH RAYMOND TERRACE PROJECT****AUTHOR: ROBERT DWYER, LAND USE PLANNING MANAGER**

RECOMMENDATION IS THAT COUNCIL:

- 1) Pursuant to Section 54 of the EPAA resolve to support an amendment to Port Stephens LEP 2000 to rezone the revised study area to facilitate the establishment of a number of mixed use neighbourhoods.
- 2) Pursuant to Section 57(1) of the EPAA resolve that an environmental study (i.e Council co-ordinated study) is not required in this instance for reasons detailed in the attached planning assessment.

BACKGROUND

The purpose of this report is to provide an assessment of the rezoning request to rezone land commonly referred to as "North Raymond Terrace". This report recommends that Council support the commencement of the master planning and rezoning of the subject area

An informal Councillor workshop was held on Thursday 23 May 2002 to discuss the North Raymond Terrace Project. The outcome of the informal workshop was a general agreement by those Councillors in attendance that urban development of the site may have potential, however a range of issues would require resolution and would need to be tied to an overall detailed master plan.

Recently, the proponent lodged the necessary rezoning fee and preliminary land capability assessments. A map of land suggested for rezoning by the proponent is contained in the attachments. A planning assessment of the overall project, possible process and conclusions that will need to be investigated and resolved, in order to achieve Council's desired outcome is also contained in the attachments. A revised study area, including current property descriptions and owners, as suggested by Council staff is also contained in the attachments. It is suggested that all studies, master plan and draft LEP, draft DCP's etc should cover the additional land suggested.

Overall, the project:

- 1) offers significant opportunities to strengthen the economic viability of Raymond Terrace and increase population in the Raymond Terrace Planning District;
- 2) offers significant opportunity to create new settlement where Council's settlement principles can be planned for and implemented; and
- 3) offers significant opportunity to enhance and preserve the environmentally sensitive areas of the site.

LINKS TO CORPORATE PLANS

The following goals, objectives and strategies in Council's Management Plan relate to the Community Planning Program:

Goal:	Provide long term community planning which integrates economic, environmental and social factors to achieve a sustainable Port Stephens.
Objectives	Accommodate existing and future communities into the natural and built environment by land use strategies that promote sustainability. Plan for a safe, efficient and effective transport networks, connecting communities within Port Stephens and adjoining areas.
Strategy	Plans developed and implemented which address landuse and settlement issues.

The project is consistent with the above goal, objectives and strategy.

FINANCIAL/RESOURCE IMPLICATIONS

The project will have significant resource implications for Council, particularly in relation to the Community Planning Section. The masterplan and future LEP/DCP will be developed in partnership with the proponent based upon the overall vision for the project. As a result the project will draw upon substantial resources from Community Planning and will therefore impact other commitments within the Section.

Recovery of some of the resource costs will be sourced from the proponent who has expressed a willingness to provide Council with funds for its use in the assessment of technical studies. However the project will still require a reprioritising of projects within the Community Planning Section.

LEGAL AND POLICY IMPLICATIONS

The process will involve the eventual creation of a legal instrument (amendment of the Port Stephens LEP 2000) that will allow urban uses within the Study Area.

SUSTAINABILITY IMPLICATIONS

SOCIAL IMPLICATIONS

The proposal has the potential to have a positive effect on the development of the Raymond Terrace community. Carefully planned and staged development of the site will ensure vibrant and safe neighbourhoods and create a sense of community for new and existing residents alike.

ECONOMIC IMPLICATIONS

The proposal has the ability to strengthen the viability of the town centre and reinforce its regional role. The proposal will also enhance the usage of existing community facilities within Raymond Terrace (eg. Sporting complexes, sporting clubs)

ENVIRONMENTAL IMPLICATIONS

The proposal will result in an urban form that facilities public transport, reducing car dependence. Development of the site will also have regard for the important environmental quality of the site and ensure their retention in the subsequent master plan.

CONSULTATION

Preliminary consultation with Councillors and the proponent has occurred. Preliminary consultation with Planning NSW has occurred. Should Council resolve to commence the draft LEP process, formal consultation with Planning NSW will occur, particularly with respect to seeking the organisations view on the need for a formal environmental study under Section 57. A comprehensive consultation plan will also be prepared shortly thereafter.

OPTIONS

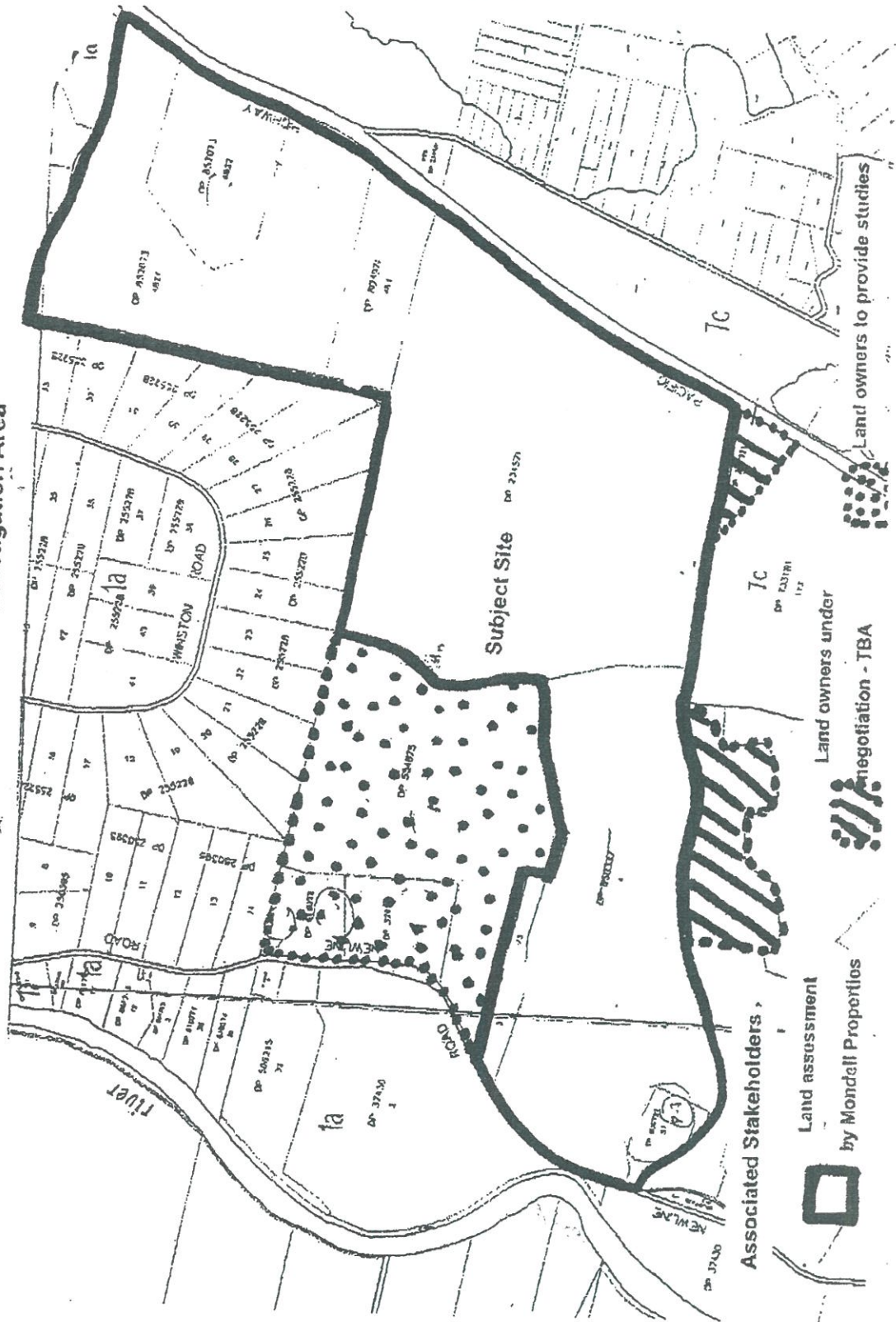
- 1) Adopt the recommendation
- 2) Amend the recommendation

ATTACHMENTS

- 1) Study Area – as put forward by the proponent.
- 2) Planning Assessment
- 3) Revised Study Area – as suggested by Council Staff.

ATTACHMENT 1

North Raymond Terrace Investigation Area



Associated Stakeholders

Land assessment by Mondell Properties

Land owners under negotiation - TBA

Land owners to provide studies

**ATTACHMENT 2
PLANNING ASSESSMENT
REQUEST TO REZONE LANDS NORTH OF RAYMOND TERRACE TO
FACILITATE THE DEVELOPMENT OF A NUMBER OF MIXED-USE
NEIGHBOURHOODS**

THE PROPOSAL

The proposal is to rezone a number of parcels north of Raymond Terrace to various urban zones to facilitate the development of a number of mixed-use neighbourhoods. A map of the Study Area is contained in the attachments to the Strategic Committee Report dated 15 October 2002.

Proponent

Harper Somers O'Sullivan acting for Mondell Properties and Morgan Banks Investment Partnership.

Detail Submitted

Overview of factors affecting the site and findings of preliminary land capability assessments. Further information will be submitted by the proponent as required by the proposed master plan process.

THE LAND

Property description and owners

Lot 41 DP 1037411	Mondell Properties and Morgan Banks Investment Partnership	406.7 ha
Lot 42 DP 1034711	Riding for the Disabled NSW	2.1 ha
Lot 4821 DP 852073	Mr I S Eagleton	116.1 ha
Lot 4822 DP 852073	Mr N E Langbein	36.8 ha
Lot 481 DP 804971	Mr A E Howe	28.7 ha
Lot 105 DP 1016640	Newline Resources Pty Ltd	12.4 ha
Lot 51 DP 839772	Mondell Properties Pty Ltd & Morgan and Banks Development	8.4 ha
Lot 31 DP 554875	Mr G K & Mrs A M Warnes & Ms B M Russell	10.4 ha
Lot 32 DP 554875	Mr J K Windeyer	119.5 ha
Lot 2 DP 37430	Mr J K Windeyer	18.4 ha
Lot 42 DP 618892	Mr R A & Mrs J Badior	11.4 ha
Lot 41 DP 618892	Mr P W & Mrs H De Sylva	1.6 ha
Lot 5 DP 234521	Hunter Water Corporation Ltd	9.9 ha

Existing Zoning

All parcels are currently zoned 1(a) Rural Agriculture, except for Lot 5 DP 234521 which

Proposed Zoning	is zoned 7(c) Environment Protection (Water Catchment) Zone
Area	Various urban zones – precise zonings and zoning boundaries to be determined through the suggested master plan process
Characteristics	Total study area – Approx. 755 hectares The lands are situated north of the low-lying lands owned by Hunter Water Corporation land for the purposes of the Grahamstown spillway. The subject lands are moderately timbered with some cleared grazing lands. A vegetated ridgeline runs in a general south to north direction through the middle of the lands.

KEY ISSUES

Port Stephens Urban Settlement Strategy and the Raymond Terrace Local Area Plan
The Port Stephens Urban Settlement Strategy and the Raymond Terrace Local Area Plan recognise the potential for the possible development of the North Raymond Terrace Area, subject to the investigation into, and satisfactory resolution of:

- Providing viable alternatives to the use of private motor vehicle;
- Providing links between the area and the rest of Raymond Terrace;
- Using HWC 'common' for footpath and cycleway access and other compatible land-uses;
- Providing a walkable, mixed use neighbourhood structure that contains a large variety of housing types designed for the pedestrian; and
- Provide an overall settlement that meets Council's settlement principles.

Detailed investigation into these issues is required up front, as well as market analysis of the likely resultant urban form, to ensure that the end product is in accordance with Council's desired outcome.

Council's desired outcome

As mentioned in all previous discussions about the project, Council is looking for an innovative outcome. The resultant urban form will:

- Provide a clear vision for the future community. It should address the reasons why people would want to live and be attracted to the area, how the village atmosphere, access to bushland and the environment and access to good urban amenity will create an interesting and desirable place to live.
- Provide an urban structure based on mixed use neighbourhoods
- Provide for an interconnected network of streets with perimeter block development and frontage to streets and open spaces
- Facilitate opportunities for a regular public transport system that provides realistic alternatives to private motor vehicles within the area and for travel to Raymond Terrace. Improved opportunities for walking and cycling are also essential
- Create communities with access to amenities that fulfil the daily needs of the residents
- Provide good urban amenity including:
 - ❖ vibrant and safe gathering spaces;

- ❖ opportunities for growth of employment including mixed use developments and home based businesses
- ❖ choice in residential location and housing types to suit different lifestyles, and people of varying socio-economic status and ages and provide for a more significant component of other land uses to support people's daily needs and local employment.
- ❖ high standard of residential amenity for homes, including visual and acoustic privacy from neighbours
- ❖ opportunities to increase public transport options, and to promote walking and cycling
- ❖ increased access to quality services and facilities
- ❖ Provide quality open space and places for active community participation.

The proponent has engaged the services of urban designers and planners to assist in the direction of all studies and facilitate neighbourhood design structure workshops.

Councillor workshop

An informal Councillors' Workshop was held on Thursday 23 May 2002 to discuss the proposal with Council staff. The aim of the informal Workshop was to provide an overview of recent discussions with the proponent; to conduct a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis with particular emphasis on Council's adopted Settlement Principles and Urban Settlement Strategy; and seek the preliminary views of Councillors on the overall merits of the project.

The outcome of the informal Workshop was a general agreement by those Councillors in attendance that urban development of the site may have potential, however there are many issues that would require detailed resolution and would be tied with the overall site being developed in accordance with a solid set of conditions as set in a detailed master plan. The Workshop concluded with an action for Council's Community Planning Section to develop a Discussion and Options Paper for viewing and consideration by Council.

Masterplan Process

A Master Plan for the whole site is required up front and would be linked with the subsequent future LEP (rezoning). The master plan for the project will provide detail starting from the neighbourhood structure (areas for parkland, areas for development, street network and pattern) down to specifics for dwelling types, street widths, footpath and cycleway locations, stormwater management plans, lot patterns and sizes etc). Commitment to the master plan process will result in an outcome that is consistent with the Council's and the community's desired outcome.

The masterplan and draft LEP process will be as follows:

- First neighbourhood design workshop between Council staff and consultant team (including developer funded Urban Designer and Economic Consultant).
Outcome: Produce first concept map/design of the neighbourhood structure and identify areas/issues that require future investigation e.g. Water management studies, more detailed flora and fauna studies, detailed archaeology studies etc. Concept map will also be used for initial consultation with relevant government agencies.
- Council consult with government agencies. Proponent co-ordinate further studies.
- Receive advice from government agencies as well as information from technical studies
- Second urban design workshop to coordinate and analyse information received.

- Development of initial draft of master plan and other Draft documents by proponent
- Third workshop (if required) to revise detail within the master plan and review any outstanding issues from state agencies.
- Preparation of Final Draft of Master plan, First Draft of LEP
- Presentation to Council
- Exhibition of Draft Master plan, Draft LEP (Draft DCP?) et al
- Final revision of Draft Master plan, Draft LEP and Draft DCP.
- Final presentation to Council.
- Presentation to Minister for Planning.
- Gazettal of new LEP.

Defining the North Raymond Terrace Study Area

The proponent has provided a map indicating the lands that they wish to rezone, see attachment to Council Strategic Committee Report dated 15 October 2002. The proponent has indicated that lands bounded to the west by Newline Road, bounded to the north by existing rural residential development around Winston Road and bounded to east and south by lands owned by the Mondell Properties and Morgan Banks Investment Partnership will not at this stage be investigated by them. However it would appear that inclusion of such lands in the overall study area for the masterplan and future LEP process would be beneficial particularly as they represent the last remaining parcels in the vicinity that are of a size that minimise multiple ownership issues. Accordingly the study area, as suggested by Council staff, is contained in the attachments within the Council Strategic Committee Report dated 15 October 2002.

Funding arrangements for the assessment of proponent funded studies

The proponent has indicated it's flexibility and willingness in assisting Council with the independent assessment of future technical studies, for example detailed flora and fauna studies.

Council's Community Planning Section will participate in the neighbourhood design structure workshops and coordinate the assessment of resultant studies. Some technical studies may require independent technical assessment (essentially desk top review), funding of which is not within the Community Planning Budget. Consistent with the intent of the recovery of the costs provisions within the EPA Act and Regulations, Council will seek an up front payment from the proponent that will be used for the independent review purpose.

Effect of the proposal in relation to matters of State and Regional significance

The proposal to investigate the North Raymond Terrace area is consistent with directions within Council's Urban Settlement Strategy and the Raymond Terrace Local Area Plan. Both of these documents have been developed in a way that is consistent with current State and Regional initiatives and documents.

The proposal will take into consideration State Environmental Planning Policy 65 - Design Quality of Residential Flat Development and Draft State Environmental Planning Policy 66 - Integration of Land Use and Transport as well as concepts and principles within the Coastal Design Guidelines for NSW. Consideration of, and consistency with, the NSW Coast Government Policy (including the soon-to-be gazetted State Environmental Planning Policy on coastal matters) and recent directions from the Minister for Planning regarding Bushfire Protection will occur.

Consultation Procedures

In relation to the LEP preparation process consultation will include:

- on-going consultation with all relevant agencies during the respective phases of the master plan preparation;
- a number of community workshops to be held after the development of the initial draft Master plan (or possibly earlier) and the possible formation of a community liaison group;
- formal exhibition of the draft Master plan, draft LEP;
- further community workshops during exhibition period.

Adequacy of Studies

Council is looking for an innovative outcome and accordingly an innovative process/partnership between Council and the proponent is required. Council is confident all issues will be addressed by the relevant technical and design studies commissioned by the proponent, in close collaboration with Council and the community. Council is therefore of the opinion that an environmental study (i.e. planning studies funded and co-ordinated by Council) pursuant to section 57(1) of the EPAA 1979 is not required. Confirmation of this view will be sought from Planning NSW.

CONCLUSION

The lands within the study area represent a significant opportunity to support and strengthen Raymond Terrace. It represents an opportunity to create a new community with full access to amenities that will meet the aspirations of the new residents and those of Council. It offers significant opportunities to strengthen the economic viability of Raymond Terrace and increase population of the Raymond Terrace Planning District. It also offers a significant opportunity to create new settlement where Council's settlement principles can be planned for and implemented.