



## **DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT**

8<sup>th</sup> May 2007

<b>DSDS3</b>	<b>STRATEGIC PLANNING PROGRAM</b>	
	<b>FILE: 584 RBP</b>	<b>{Folio No. *}</b>

### **SUMMARY:**

Reporting on the progress of Strategic Planning Program for 2006/07.

◇◇◇◇◇◇

### **DESCRIPTION:**

#### **Progress and Recommended Priority of Strategic Planning Projects**

It is recommended that the following priorities be endorsed, pending appointments being made to the vacant positions of Manager Planning and Natural Resources and Area Town Planner. [\(Appendix B – Page G2\)](#) Upon appointments being made to the positions, a revised program will be presented to Council for endorsement.

Since reporting the progress of the program in February 2007, the following projects have been completed: -

- Heritage Study
- Urban Land Capacity Report
- Population Projection Report

#### Mid North Coast Regional Strategy (Recommended Priority: High)

As reported in March 2007, Council is required to complete a Local Growth Management Strategy for the Kempsey/Port Macquarie Hastings Sub Region by June 2007. A meeting of the Sub Region has been held with Department of Planning and Port Macquarie Hastings Council staff, whereby it will be necessary to provide the following information to the Department: -

- Map of Agreed Growth Areas (AGAs)
- Dwelling targets to 2031
- Demand for rural residential dwellings in the Sub Region to 2031
- Justification for any "rounding" of AGA boundaries
- Determine the amount of industrial land required in each LGA in the Sub Region

As these tasks involve accessing information held by Council and negotiating with the Department in the interests of Kempsey Shire, it is not a project

that should be referred to a consultant. Given the restricted timeframe and likelihood that current vacancies will not be filled within the period, in order to allocate the required resources, it will be necessary to reassign at least one of the current high priority projects a lower priority.

## Kempsey Town Centre Master Plan Review (Current Priority: High – Recommended Priority: Medium)

An Action Plan for implementation has been developed including:-

- Development Control Plan Design Guidelines  
*DCP has been adopted*
- Incentives Policy  
*A draft discussion paper has been prepared*
- Revised Landscape Design Principles
- Directional Signage Scheme  
*A Scheme has been prepared by the DSS in consultation with the RTA*
- Review of DCP for signs in the town centre
- Preparation of Precincts Plans (6 precincts)
- Town Centre Structure Plan
- Comprehensive Town Centre DCP
- Traffic and Pedestrian Plan
- Consultants appointed to review options relating to opening the mall to traffic

The consultants review concerning options relating to the opening of the mall to traffic has been received. Additional information has been requested on traffic volumes for consideration of the Town Centre Master Plan Committee. Whilst this review is important, given current vacancies and the fact that the current works program is not affected by the review, it is recommended that resources be reallocated to the Mid North Coast Regional Strategy Project.

## South Kempsey Industrial Land Local Environmental Studies and Local Environmental Plan (Current Priority: High - Recommended Priority: High)

This study is to investigate land identified in Council Industrial Land Strategy, leading to the rezoning for future industrial economic growth.

Land west of the highway (Thurgoods & others) was previously the subject of a report following a decision of the Land and Environment Court to approve a dwelling house in Sandy Creek Road. The developer was advised that Council would defer further investigation until the developer was able to produce a report indicating the feasibility of the rezoning having regard to the potential impact of noise on the dwelling. The developer has agreed to fund a Noise Study and clarification has been sought from the preferred consultant to ensure that proposed investigations will satisfy the requirements of the brief.

Land east of the highway (Farrawells) is also currently being reviewed by consultants and a draft Local Environmental Study (LES) has been received and reviewed. Issues relating to vegetation clearing and provision of water and sewerage have been identified as potential constraints to development.

The issue of vegetation clearing has been deferred pending determination of a DA from the owner to establish a quarry on the land which, if approved, will obviate the need for any detailed assessment in the LES.

Options for providing water and sewerage to the area are being discussed with Macleay Water as a matter of high priority.

Having regard to the owner's intention to proceed with the quarry DA, it is likely that the LES will not be completed until at least August / September 2007, pending determination of the DA.

Residential Land Release Strategy (Current Priority: High – Recommended Priority: High)

This project is required to ensure that an adequate supply of land is maintained to support the expansion of the Shire's towns and villages and to accurately determine the expected future population limits on which the planning for infrastructure will rely.

The Urban Land Capacity and Population Projection reports which have now been completed will form the basis of the strategy.

It is expected that EOIs from suitable consultants to undertake the project will be called in May 2007.

ESD Strategy (Current Priority: High - Recommended Priority: High)

At its February 2007 meeting, Council resolved to adopt the Strategy in principal, subject to finalising the 10 year budget. Upon finalisation of the budget, amendments may be required and a high priority should be retained.

Saltwater LES and Draft LEP (Current Priority: High - Recommended Priority: High)

Consultants have been commissioned to prepare the Local Environmental Study. Following Council's adoption of the Saltwater EMP, a draft LES has now been received.

The draft LES has been reviewed by the Strategic Planning Group and other Council technical officers. Comments on the draft have been forwarded to the consultants for review prior to presenting the draft LES to Council to adopt for the purposes of public exhibition.

This project remains a high priority given the expectations of the developer and the community.

Standard LEP (Current Priority: High - Recommended Priority: High)

This plan is required to implement the new LEP template prepared by the State Government as a part of its planning reforms. Council has received grant funding for this project of \$25,000 in the current year with a further \$50,000 to follow over the next 2 years. This funding is conditional upon a draft LEP being prepared for exhibition by March 2007.

Consultants have been engaged to help progress this project and two draft LEPs have been received and reviewed.

Due to delays by government departments in providing required information clarification of expected timeframes has been sought from the Department.

In order to meet the Department's timeframes, it is necessary to continue to assign a high priority to this project.

South West Rocks Contributions Plan (Current Priority: Medium – Recommended Priority: High)

The ongoing growth of South West Rocks, together with the prospect of additional land being zoned for residential development through the Saltwater and former Shell terminal sites, gives rise to the need to provide a range of facilities and infrastructure to service the area. It is proposed to commence preparation of specialist study briefs during the exhibition of the LESs with a view to having a contribution plan ready for exhibition upon adoption of any LEP to release additional land, with the Contribution Plans to be in place prior to gazettal of the rezonings.

At its meeting of March 2007, Council resolved to exhibit a contributions plan to recover the cost of the Joint Section 94 Project Coordinator and to prepare a draft plan for South West Rocks. The plan for South West Rocks to be prepared by consultants will require considerable input from Council staff and a high priority will be required to prepare the plan before a number of DAs currently with the Department of Planning have been determined.

Heritage Study Implementation (Current Priority: Medium - Recommended Priority: Medium)

A report was submitted to Council in January 2007, whereby Council resolved to proceed with the amendment to the Local Environmental Plan to list unopposed heritage items.

The draft was referred to the LEP Review Panel and approval to proceed has been given.

The task of finalising the format of the planning instrument in a form that is satisfactory for gazettal remains.

As the draft LEP has been exhibited, the draft listings have some statutory weight under Section 79C of the EP&A Act when considering DAs for affected properties. On this basis it is recommended that a medium priority be maintained for this project.

South West Rocks Structure Plan Review (Current Priority: Medium - Recommended Priority: Medium)

Effective planning for facilities, infrastructure and reviews for South West Rocks requires the 1995 Structure Plan to be reviewed. The Parsons Brinkerhoff report previously commissioned by Council identified that considerable investigations are needed to update the plan to meet current requirements.

Investigations that are either currently being undertaken or have been completed that are required to complete the review include: -

- The Local Environmental Studies for Saltwater and former Shell site;
- The Spencerville to New Entrance Investigation Area (see below);
- Saltwater Creek EMP;
- Saltwater Creek Flood Study
- SWR Open Space Strategies
- Preparation of a Stormwater Management Strategy
- Traffic study

Upon completion of these investigations, it is proposed to integrate them into an overall review of the Structure Plan that may be required by the Department of Planning prior to proceeding to rezone additional land for residential purposes. Having regard to the expectations of developers and the community, this should assume a higher priority than has currently been assigned.

However, given the current vacancies and impost of the Mid North Coast Regional Strategy, the current priority should be retained.

Spencerville to New Entrance Investigation (Current Priority: Medium - Recommended Priority: Medium)

This land has been identified for long term release in the Residential Land Release Strategy.

Habitat assessment has been undertaken using vegetation mapping completed in November 2005. A meeting was held with landowners, and with the DEC to determine options.

The Masterplan for the precinct will then form part of the South West Rocks Structure Plan review which, due to the progression of related projects should assume a high priority.

Expressions of Interest have been invited to undertake a Landscape Ecology Specialist Study with appointment of a consultant expected in June 2007.

Reclassification of Community Land: South West Rocks and Frederickton (Current Priority: Medium - Recommended Priority: Medium)

The Department of Planning forwarded approval to exhibit the draft LEP which was completed in March 2007.

The Act requires a public hearing to be held and a suitable facilitator is being sourced to conduct the hearing.

Vegetation Mapping of the Shire (Current Priority: Medium - Recommended Priority: Medium)

It is proposed to complete mapping all vegetation communities across the Shire over the next 2 years. Stage 1 relating to the coastal strip east of the highway where development pressures are greatest has been completed.

A medium priority should be maintained as this mapping will provide an information layer for the Standard LEP and also provide a basis for Council's revised TPO. It will also form part of a Shire wide Strategic Land Use Plan over about a 5 year period.

Stage 2 of the Vegetation mapping of the Shire has been progressed with an invitation to provide Expressions of Interest to undertake the works currently being advertised. Closing date for submissions is 15 February 2007. A consultant (GHD) was appointed in March 2007.

Rural Land Capacity Report (Current Priority: Medium - Recommended Priority: Medium)

This document provides the basis for determining the current supply of rural residential land. It was anticipated this project would commence in August 2006, however, due to vacancies, has not progressed.

At this stage it is unclear what the affect the guidelines for preparing Local Growth Management Strategies, required under the Mid North Coast Regional Planning Strategy, will have on the format and timing of the review.

Upon appointments being made to fill current vacancies, this project should be assigned a high priority due to the considerable interest expressed by people wishing to subdivide and a recent increase in rural residential subdivisions.

Rural Residential Land Release Strategy (Current Priority: Medium - Recommended Priority: Medium)

Council cannot rezone land for rural residential development except in accordance with a Department of Planning endorsed strategy. Council's current Shire wide strategy indicates that there is sufficient zoned land to satisfy the Shire needs. A revised strategy identifying locality-based demand/supply is being developed. Progress on this strategy will follow after the Rural Residential Land Capacity Report is prepared.

Following completion of the Land Capacity Report, this Strategy should be assigned a high priority due to the considerable interest expressed by people wishing to subdivide and a recent increase in rural residential subdivisions.

This strategy has not progressed due to position vacancies.

At this stage it is unclear what the affect the guidelines for preparing Local Growth Management Strategies, required under the Mid North Coast Regional Planning Strategy, will have on the format and timing of the review.

Rural Roads Contribution Plan Review (Current Priority: Medium - Recommended Priority: Medium)

This plan provides significant income for maintaining and upgrading Councils rural roads. However, the plan is complex and difficult to apply, and commits Council to an ongoing maintenance obligation that is not recouped through the plan.

This plan is currently under review by the Joint Section 94 Project Officer with the review to be prioritised in consultation with Nambucca and Bellingen Councils.

Other Section 94 Plan Reviews (Current Priority: Medium - Recommended Priority: Medium)

All of Councils existing plans require review, and there may be opportunity to levy additional contributions which should assume a higher priority upon appointment of a Contributions Officer, subject to the plans of Nambucca and Bellingen being given equal consideration.

Beranghi Community Title LEP (Current Priority: Medium - Recommended Priority: Medium)

This is to facilitate a Community Title subdivision that contains sensitive habitats and archaeological relics. A draft LEP has been prepared and was reported to Council in November 2006.

The draft LEP is currently with Parliamentary Counsel and drafting amendments may be required prior to being presented to the Minister for approval.

Comprehensive DCP Review (Current Priority: Medium - Recommended Priority: Medium)

Recent changes to the Environmental Planning and Assessment Act require that only one Development Control Plan may apply to any parcel of land following adoption of the new Standard LEP. All of Council's Development Control Plans will need to be reviewed and brought into compliance with this requirement.

Due to staff vacancies this project has been delayed.

South West Rocks Place Based DCP (Current Priority: Medium - Recommended Priority: Medium)

Recent changes to the Environmental Planning and Assessment Act require that only one Development Control Plan may apply to any parcel of land following adoption of the new Standard LEP. All of Council's Development Control Plans will need to be reviewed and brought into compliance with this requirement.

It is likely that the LESs for the rezoning of land in South West Rocks will require implementation of detailed planning guidelines to ensure that development of these lands is carried out in an ecologically sustainable manner. These guidelines would most appropriately be contained within a place based DCP for the area.

Due to staff vacancies this project has been delayed

Crescent Head Expansion (Current Priority: Low - Recommended Priority: Low)

The Lands Office has agreed to Council acquiring Land to provide road access, and the applicant has been in regular contact to progress this proposal. Council resolved to prepare this LEP in August 2003, and a number of circumstances have changed since that time, including the previous advice of the Department of Lands not to proceed with the development of Stages II to V of the Goolawah Estate at that time.

The draft LEP was referred to the LEP Review Panel. The Panel advised of its refusal to authorize exhibition of the plan.

A letter requesting the Department of Land's intentions was forwarded in November 2006.

The Department has now confirmed that they no longer wish to proceed with subdivision of Stages II to V. It is intended to investigate the possibility of "down zoning" the land to Environmental Protection and the resultant feasibility of rezoning land further to the south.

Bypass Strategy (Current Priority: Low - Recommended Priority: Low)

Whilst actions have commenced, including the Town Entrance Statements project and review of the Kempsey Town Centre Master Plan, funding of an overall coordinated strategy has not been included in the budget. The RTA have not yet released the EIS for the preferred route and given the likely timeframe for construction of the Bypass, and other priorities, it is not proposed to progress this project in the current year.

Given the intention to elevate other more pressing projects to higher priorities, it is necessary to allocate a lower priority to longer term projects.

Although the project which involves an integrated approach to the bypass is recommended as being assigned a low priority, the Kempsey Town Centre Masterplan Review and Town Entrance Statement projects are continuing, both of which are in response to the bypass.

Parking Study Review (Current Priority: Low - Recommended Priority: Low)

Council commenced this review a number of years ago with preliminary findings suggesting that little change to current charges is likely to be necessary. It was proposed to progress the review in August 2006, with possible report to Council in November 2006, however, given staff vacancies and the low priority, no further action has been taken.

Oil Terminal LES and Draft LEP (Current Priority: Low - Recommended Priority: Low)

The draft was presented to Council in September 2006 with Council resolving not to proceed with exhibition until the land has been remediated.

On this basis, the project should be assigned a low priority until Council agrees to proceed with exhibition.

It is understood that the developer is in the process of preparing a submission to Council to request that the matter be progressed.

Tree Preservation Order Review (Current Priority: Low)

The revised TPO has been exhibited. Legal advice indicates that some provisions may conflict with the Native Vegetation Act and amendments are needed.

With additional staff this project should assume a high priority, however, given the extent of the current program and the fact that the existing TPO

remains in force, this project should be assigned a low priority until vacancies are filled.

**REPORT IMPLICATIONS:**

- ***Environmental***

*Effective strategic planning is essential to ensure decisions are made to achieve desired environmental outcomes. There are many additional environmental projects that could be pursued, but not able to be resourced.*

- ***Social***

*Social sustainability for future communities requires effective strategic planning. Current resources limit Council's ability to ensure preferred outcomes for future social infrastructure.*

- ***Economic (Financial)***

*Economic development of the Shire requires the preparation of a range of strategies to allow timely release of land and provisions of infrastructure and facilities.*

*If Council wishes to increase the priority of projects, without reducing others, it will be necessary to provide additional resources to strategic planning.*

**RECOMMENDATION:**

That Council note the report and endorse the recommended priorities attached to each project.

.....  
**R B Pitt**  
**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES**