



DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

13th November 2007

DSDS2	STRATEGIC PLANNING PROGRAM
FILE: 584 RBP (NRN)	{Folio No. *}

SUMMARY:

Reporting on the progress of Strategic Planning Program for 2007 / 08

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Progress and Recommended Priority of Strategic Planning Projects

When reporting of the Strategic Planning Program commenced in 2005 / 06, there were 24 separate projects being undertaken.

Having regard to changing legislative requirements and increasing community expectations, Council has allocated increased funding and has expanded both the scope and complexity of the strategic planning program with 36 projects currently being undertaken, compared to 34 projects at the August 2007 progress report.

As reported to Council, a considerable reorganisation of resources has been undertaken to deliver the expanded program, however, delays have resulted from ongoing vacancies in planning positions.

Council's Manager Planning and Natural Resources commenced in August 2007 and has now familiarised himself with the issues facing the Shire and the extent of Council's Strategic Planning Program.

Whilst it is recommended that the following priorities be endorsed, delays in delivering the program are likely, pending appointments being made to the vacant Area Planner positions.

A summary of priorities and status of projects is included at [\(Appendix A – Page G1\)](#). Recommended changes to current priorities are highlighted in boldface.

Kempsey Shire Strategic Direction (Current Priority: High - Recommended Priority: High)

It is proposed to allocate a total of \$80,000 to this project over the next two years. This project will result in an overarching strategy incorporating Council's vision for development within the Shire for the next 20 to 30 years. Key elements of the strategy will include: -

- Identification of the natural, cultural and social attributes the community would like to see protected or enhanced.
- Integration of landuse planning with Council's infrastructure planning.
- Strategies for building on the social strengths of existing coastal and inland towns and villages through managed expansion.
- A mechanism for incorporating Council's social and economic development strategies into land use planning.
- Identification of the strategic investigations required to achieve the plan through suitable land releases.

The strategy will, in effect, form the basis for Council's Strategic Planning Program which will be used to prioritise required funding and will address a significant number of actions under Council's ESD Strategy.

Upon determination of the scope and possible staging of the strategy, it is intended to establish a community Focus Group to assist in the preparation of a brief to seek EOIs from consultants to prepare part or all of the strategy.

- *Progress since August 2007:*
Preliminary scoping for the strategy commenced in October 2007 by the Strategic Planning Group.

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.

Expressions of interest from consultants to prepare the strategy and facilitate a Focus Group are expected to be advertised in December 2007.

- *Progress since August 2007:*
Expressions of interest to serve on a community Focus Group have been called which is expected to be reported to Council in November 2007.

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. In 2006 / 07 Council received grant funding for this project of \$25,000 with a further \$50,000 to follow over the next 2 years. This funding was conditional upon a draft LEP being prepared for exhibition by March 2007.

Due to delays by government departments in providing required information, clarification of expected timeframes is being 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.

- *Progress since August 2007:*

A Draft LEP has been prepared and is being reviewed internally.

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

This study is required to investigate land identified in Council's Industrial Land Strategy, to rezone land for future industrial economic growth for which a total of \$46,990, inclusive of a revote of \$1,990 has been allocated.

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 has agreed to fund a Noise Study. A preferred consultant has been selected and Council is awaiting the developer's acceptance.

Land east of the highway (Farrowells) is also currently being investigated 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.

▪ *Progress since August 2007:*

A draft options paper relating to the provision of water and sewerage to the area is being prepared in consultation with Macleay Water as a matter of high priority and is expected to be the subject of a report to Council relating to funding implications in December 2007.

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

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

▪ *Progress since August 2007:*

The draft Local Environmental Study was reported to Council in October 2007. A draft Local Environmental Plan to give effect to the recommendations in the LES is being finalised with the assistance of a consultant, prior to seeking the approval of the Department of Planning to exhibit the draft plan for public comment.

South West Rocks Contributions Plan (Current Priority: High– 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.

At its meeting of July 2007, Council resolved to adopt 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 costs of which (\$70,000) is being funded from internal borrowings from Section 94 funds.

- *Progress since August 2007:*

At its September 2007 meeting, Council resolved to exhibit a Section 94A Plan to levy contributions on commercial development in South West Rocks. The plan is expected to be reported to Council in November 2007 for adoption.

A comprehensive contributions plan for South West Rocks is being prepared by consultants with considerable input from 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.

A draft plan has been prepared which is expected to be reported to Council in November 2007 to adopt for public exhibition.

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

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

The Local Government Act requires a public hearing to be held and a suitable facilitator has been sourced to conduct the hearing.

- *Progress since August 2007:*

A suitable facilitator has been appointed and a notice has been exhibited for public hearing to be held on 21st November 2007.

South Kempsey Bottleshop Redevelopment (Current Priority: High - Recommended Priority: High)

This spot rezoning, which is required to facilitate the redevelopment of a bottle shop and adjoining allotments for commercial purposes, was originally rejected by the LEP Review Panel as the land is not within an approved Retail Strategy.

The Panel was requested to review its decision on the basis of the opportunity to revamp the current premises without impacting on adjoining residents. The Panel reviewed its decision and has issued an authority to proceed provided a detailed justification is included in the final report to the Minister.

NOTE: Whilst a high priority should be maintained, as a result of vacancies, no action has been taken since the August 2007 report. Upon completion of the public hearing to reclassify land at South West Rocks and Frederickton and referral of the draft LEP to the Minister, this LEP should receive priority.

Mid North Coast Regional Strategy (Current Priority: Medium - Recommended Priority: **High**)

As reported in May 2007, Council was required to complete a Local Growth Management Strategy for the Kempsey/Port Macquarie Hastings Sub Region by June 2007. The Department of Planning subsequently advised that a map of Agreed Growth Areas (AGAs) would suffice pending the Department releasing guidelines for preparing the strategies. The map of AGAs was provided to the Department of Planning for inclusion in the draft strategy for public exhibition and preparation of the Local Growth Management Strategy

will be reprogrammed following release of the guidelines and time frames by the Department.

The Department recently released guidelines for the preparation of local growth management strategies; however, no time frame for completion has been indicated by the Department.

Public exhibition of the draft strategy is expected in November 2007 which will necessitate a detailed review and report to Council, for which a high priority is expected to be required within the next quarter.

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

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 was assigned a low priority.

Whilst Council has now resolved to proceed, current resources are insufficient to assign the project a "high" priority unless the priority of another project is reduced.

- *Progress since August 2007:*
A Development Application has been lodged to rehabilitate the land which is a precondition to any development of the land. Upon determination of the expected time required to rehabilitate the land, the current priority will be revised.

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

An Action Plan for implementation has been developed including:-

- Development Control Plan Design Guidelines. *(completed)*
- 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 Development Control Plan.
- Traffic and Pedestrian Plan. *(Report received from consultants related to options relating to opening the mall to traffic)*

It is intended to complete the review with \$10,000 revoted from 2006 / 07.

- *Progress since August 2007:*
Council's Shire Services Department is currently preparing a works schedule for 2007/08, following the completion of which a meeting will be called.

NOTE: A meeting of the Committee has not been called since August 2006 as the 2006 / 07 works allocation had been fully expended / committed and in May 2007, Council had resolved to allocate a lower priority, given staff shortages and the need to respond to the draft Mid North Coast Regional Strategy.

If Council now wishes to allocate this project a high priority, the priority of an existing high priority project will need to be reduced.

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.

Properties listed in the draft LEP are eligible to obtain financial assistance for repairs and renovations under Council's Heritage Assistance Program and it is recommended that a medium priority be maintained for this project.

- *Progress since August 2007:*
The task of finalising the format of the planning instrument was allocated to office support staff under direction from Council's Heritage Officer and has now been completed.

The draft LEP is expected to be exhibited in early November 2007.

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

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 (see above).
- The Spencerville to New Entrance Investigation Area (see below).
- Saltwater Creek EMP (completed).
- Saltwater Creek Flood Study (completed).
- SWR Open Space Strategies.
- Preparation of a Stormwater Management Strategy.
- Traffic Study.
- SWR Landscape Ecology Specialist Study (see below).

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, for which an allocation of \$10,000 has been made in 2007 / 08.

NOTE: Depending on the requirements of the Department of Planning in respect to issuing the approval to exhibit the Saltwater draft LES & LEP, this project may need to be assigned a high priority, in which case Council will

need to consider reducing the priority of another high priority project. However, determination of the rezoning is not expected in the coming quarter and a low priority is considered to be realistic.

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.

A habitat assessment has been undertaken using vegetation mapping completed in November 2005. A meeting was held with landowners and the DECC to determine options, whereby it was determined that a comprehensive ecological study in the context of the relationship of the site to the broader SWR area was necessary.

The Masterplan for the precinct and broader ecological study will form part of the South West Rocks Structure Plan review which, due to the progression of related projects, should assume a medium priority.

It is intended to continue the project with \$35,000 revoted from 2006 / 07, including grant funding received under the Plan First Program and contributions from the landholders.

▪ *Progress since August 2007:*

A consultant was appointed to undertake a Landscape Ecology Specialist Study in October 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.

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.

This is an unfunded project that will be undertaken by staff. Approaches for funding from landholders who expressed interest in being included in the review will be sought.

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's 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.

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.

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 is an unfunded project that will be undertaken by staff. Approaches for funding from landholders who expressed interest in being included in the review will be sought.

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

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.

Given other high priority contributions plans being prepared and the fact that Council has an existing plan in place, this project should assume a low priority.

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.

Preliminary investigations into additional contributions plans, including Plummers Lane and South West Rocks Road have commenced and a medium priority should be maintained.

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

This is a developer funded project 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 was expected to be presented to Parliamentary Counsel in May 2007 which was delayed due to resignations and drafting amendments may be required prior to being presented to the Minister for approval.

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

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 authorise exhibition of the plan.

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

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

Advice was received from the Department of Planning that they would now be prepared to consider the rezoning request, subject to the land being included in a revised Residential Land Release Strategy and the Goolawah Estate being rezoned to Environmental Protection.

▪ *Progress since August 2007:*

This matter was referred back to the Department of Lands in September 2007 advising of the intended course of action to ensure they have no objections. No response had been received as at the date of writing this report.

Although assigned a low priority, Council has continued to press this matter and a medium priority should be assigned, which reflects the actions that have and will continue to be taken.

Flood Policy Review (Current Priority: Medium - Recommended Priority: Medium)

Having regard to Councils requests for a review to be undertaken to address several perceived anomalies in the current policy and to ensure consistency with the current Flood Plain Development Manual, an allocation of \$20,000 has been made to commence a review with a further allocation of \$10,000 proposed in 2008/09. It is also proposed to pursue opportunities for grant funding, following which the scope of the review will be determined.

Whilst the review is needed, having regard to the extent and priorities assigned to other projects, the fact that a policy is in place and current staff vacancies, a medium priority is recommended.

Koala Plan of Management (Current Priority: Medium - Recommended Priority: Medium)

This is a project that was effectively commenced in 2006 / 07 with the Vegetation Mapping Project, for which an allocation of \$40,000 has been made in 2007 / 08 with a further \$40,000 proposed to be allocated in 2008 / 09 and 2009 / 10.

The project will be undertaken by consultants to satisfy the requirements of SEPP 44 and provide for the protection of vegetation required to support viable breeding colonies of koalas that exist across the Shire.

Progress since August 2007:

A draft Consultants Brief has prepared and referred to the Department of Planning for comment prior to completion. Preliminary development of an Advisory Group brief has commenced. It is intended to report the progress to Council in November 2007 to consider nominating a councillor to chair the group.

Parking Study (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.

Tree Preservation Order Review (Current Priority: Low - Recommended 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.

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

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.

No funding has been allocated to this project. Due to staff vacancies, this project has been delayed and should be assigned a low priority until the new LEP is imminent.

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

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.

This is an unfunded project. Due to staff vacancies this project has been delayed as should be assigned a low priority.

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 Department of Planning have not yet approved 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.

Review of DCP 37 – Hat Head (Servicing Strategy) (Recommended Priority: Medium)

At its meeting of 11th September 2007, Council resolved to undertake an assessment to determine whether there is sufficient capacity in the treatment system to facilitate implementation of Phase 2 of the Servicing Strategy to permit additional development north of Korogora Creek. Following completion of the assessment which is being undertaken by Macleay Water, a review of DCP 37 may be necessary.

In the event the DCP requires amendment, it is recommended that the review be assigned a medium priority as Council has only issued 2 deferred commencement consents for a total of 3 additional units.

Review of DCP 28 – Leasing of Public Areas for Restaurants and Cafes (Recommended Priority: Medium)

A review of DCP 28 was previously completed in December 2005, whereby Council resolved to allow a moratorium for the payment of fees which expired 31st January 2007.

The MDAP Committee has requested that Council undertake another review with a view to reducing or exempting outdoor dining from Council charges.

It is intended to undertake a follow-up survey of businesses to assess the likely level of interest in order to determine the expected financial implications and report the findings to Council to prioritise a review.

Other Spot Rezoning

Council has received a number of requests for rezoning. In order to reduce the resources required to prepare draft LEPs for spot rezonings, Council's current policy states that such requests should be grouped into a single amendment to be prepared twice per annum. It was noted in the August 2007 status report that these rezonings would be delayed if incorporated into the general review of the LEP. It was proposed to seek agreement from the applicants to fund external resources to facilitate elevated priority status for these rezonings.

The six (6) current rezoning requests are:-

- The 'old school site' at South West Rocks. (*Request to proceed received*)
- Crematorium at Collombatti. (*Request to proceed received*)

- Expansion of the Seventh Day Adventist School on Crescent Head Road. (*Request to proceed received*)
- Medical Centre South west Rocks. (*Awaiting response*)
- Andersons Smith Street. (*Pending DA – may not be required*)
- Frederickton Nursing Home. (*Recent moratorium on units under Seniors Living SEPP lifted – may not be required*)

Progress since August 2007.

Following Council's direction to proceed, the applicants were written to and given the option of either paying the applicable base fee, in which case the request would be assigned a medium priority and progressed by staff, or to agree to meet the costs of a consultant planner to be commissioned by Council. Three (3) applicants requested that their matters be progressed through their funding of an external consultant.

REPORT IMPLICATIONS:

- ***Environmental***

Effective strategic planning is essential to ensure decisions are made to achieve desired environmental outcomes.

- ***Social***

Social sustainability for future communities requires effective strategic planning.

- ***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.

RECOMMENDATION:

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

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R B Pitt

DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES