

STRATEGIC MEETING 10 NOVEMBER 2009.

ITEM 1 - GENERAL MANAGER'S REPORT

Draft Forster Tuncurry Employment Land Strategy.

It has been brought to our attention that part of the Annexure was left out of the Final Business Paper in relation to the above report.

Under the heading "List of Annexures" -

- A. Previous Item to Ordinary Council Meeting, August 2009 did not carry through to the Business Paper in its entirety, the Annexure and Summary of Public Submissions were attached but not the report.**

Please find the previous report attached.

CONSIDERATION OF OFFICERS' REPORTS:

GENERAL MANAGER

2 GM - Forster Tuncurry Employment Land Implementation Strategy - Final Draft for Adoption

Index: Forster Tuncurry Strategy
Author: Economic Development Manager - Deb Tuckerman
Ordinary Meeting: 25 August 2009

SUMMARY OF REPORT:

This item outlines changes made to the draft Forster Tuncurry Employment Land Implementation Strategy following the period of public exhibition between December 2008 and March 2009 and requests Council to consider the adoption of the Strategy.

SUMMARY OF RECOMMENDATION:

Council adopt the Forster Tuncurry Employment Land Implementation Strategy (May 2009).

FINANCIAL/RESOURCE IMPLICATION:

This project was jointly funded by Council, NSW Department of Planning, Landcom and NSW Department of State & Regional Development.

POLICY IMPLICATIONS:

The strategy is to provide Council with a clear framework on which to plan the provision of optimal areas for retail, commercial, bulky goods and industrial activities so as to satisfy demand over the next 25 years in the Forster Tuncurry area and maximise the benefits to the local community.

The brief for the project requires the consultants to recommend mechanisms to achieve desired outcomes for the study area which may involve making recommendations to inform Council's LEP review process, guide future rezoning and assess related development proposals. This is to include identification of appropriate zones to be applied in accordance with the NSW Department of Planning's Standard Template LEP. This may also include use of other incentives or economic development initiatives to achieve desired outcomes.

LEGAL IMPLICATIONS:

Nil.

LIST OF ANNEXURES:

A: Summary of Comments Received During Public Exhibition of the Draft Strategy

LIST OF ATTACHMENTS:

A: Final Draft Forster Tuncurry Employment Land Implementation Strategy (May 2009)

Due to size, Attachment A has been circulated in hard copy to Councillors and Senior Staff only as a paper conservation measure. However this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

(Note: Council was previously provided with a copy of the draft (November 2008) strategy on 9 December 2008 and 14 April 2009. It is suggested that Councillors bring their copy to the meeting.)

Due to its large size, Attachment A has been circulated in hard copy to Councillors and Senior Staff only as a paper conservation measure. However, this Attachment is publicly available on Council's Website, copies are available at Council offices and copies are available on request.

REPORT:

Consultants Hill PDA were engaged in June 2008 to prepare a strategy to provide Council with a clear framework on which to plan the provision of areas for employment related activities (retail, commercial, bulky goods and industrial) over the next 25 years in the Forster Tuncurry area.

In November 2008 a presentation was made to a special workshop for Councillors by Hill PDA outlining progress on the project. Subsequently, a report was tabled at the 9 December 2008 Council meeting with the following recommendation:

"That the Draft Forster Tuncurry Employment Land Implementation Strategy be placed on public exhibition for a minimum of 7 weeks during which submissions will be invited, following which time a report will again be presented to Council for consideration."

Council resolved the following:

"That the above recommendation be adopted with the exhibition period being extended to 12 weeks."

The document was placed on exhibition from 17th December 2008 until 13th March 2009. A total of 12 public submissions were received during this period and a further submission was received after the closing date.

Internal feedback from relevant Council Officers has also been provided to the consultant for consideration.

Following the exhibition period, Hill PDA provided a presentation at the April Strategic Committee Meeting, including an overview of the major issues and themes contained in the public submissions and discussed a recommended response to these issues.

A summary of the public submissions is attached which also indicates where changes have been made to the report as a result of the comments.

A summary of the major changes resulting from public submissions follows: (in order of comments received):

Page	Description of Change
Pg 185	Recommendation for retail component for North Tuncurry Crown Land has been amended from 'should not exceed 4,000 sqm to 'in the order of 4,000sqm in floor space with an additional recommendation added that 'Not' withstanding the guide, the scale and character of any centre on the site will need to be assessed in greater detail during the Master Planning process.'
Table 59 & 60, pg 197-199	Floor Space Ratio for 'neighbourhood centres' has been amended from 1.5:1 to 1:1 and recommendations made relating to maximum heights to minimise concerns regarding 'excessive' FSRs.
Table 24, pg 57-60	Increased clarification has been included relating to permissible uses in each of the proposed zones.
Section 13.1, pg 174	Changes to zoning of Manning Street Tuncurry from B3 to B2 Local Centre Zone that allows residential uses above ground floor retail and commercial uses. Zone stipulates however a minimum FSR of commercial floorspace to be provided on site to encourage employment generating uses within the centre at ground floor and first floor.
Pg 110 & Section 13, page 171-177	Inclusion of 19 & 21 Beach Street in Strategy (previously omitted). Site recommended as a B4 (Mixed Use) zone.
Pg 183-184	Additional objective recommended in revised report for IN4 Working Waterfront Zone to facilitate ancillary operations including restaurants, charter or tourism boating, etc.
Table 24, pg 57-60 & Section 13.2 pg 183	Recommendation for IN4 Working Waterfront for majority of Breckenridge Channel changed to W1 Natural Waterways Zone to permit with consent marinas, outdoor recreational facilities and tourism boating activity.
Section 13.1, pg 171-176	Amended report elaborates on recommendations about how to attract an anchor tenant to the Manning Street Tuncurry area.
Appendix Map Forster (C)	Map amended to show proposed change to location of industrial zone at Sweet Pea Road, Forster (consistent with South Forster Structure Plan).

The following changes summarise changes resulting from Council Officer Comment:

Page	Description of Change
Figure 1, pg 25	Map amended to reflect <u>all</u> proposed future centres and employment land hierarchy.
Pg 189-191	<p>Recommendations regarding the site at Piper's Creek has been refined, including:</p> <ol style="list-style-type: none"> 1. The area referred to as possibly suitable for employment uses has been limited to an upper portion only of the total area identified in the original draft. 2. Time frame for development specified (ie medium term, from 2016); 3. Reference to opportunities for commercial tourist related facilities has been removed; 4. Importance of more detailed investigations prior to any changes to zoning emphasised.
Table 7, pg 21	<ol style="list-style-type: none"> 1. Further recommendations regarding Height and FSR have now been included for each zone to add clarification and check consistency with Council's DCP 51. 2. Staging added to recommendations for employment land development.
Appendix (Maps)	<ol style="list-style-type: none"> 1. Maps in the appendix have been amended to add clarification and consistency with the recommendations contained in the report. 2. Forster (B) Map now shows a proposed B5 Business Development Zone over the existing fringe of bulky goods uses along Breese Parade.
Section 5.3 Table 24, pg 57 - 60	Additional information regarding the Standard LEP Template Zones including consultant's recommendations regarding additional objectives and uses.
Section 8, figures 6 - 21, pg 90 - 124	Figures amended to better reflect existing employment areas.
Pg 107	Amended description of location of Breckenridge Channel Forster and associated activities.
Pg 119	Inclusion of the Graham Barclay Oysters site under the heading 'Forster Working Waterfront' under Section 8 'Existing Supply Analysis'.
Pg 119, Table 39	Inclusion of additional centres within the existing Forster Tuncurry Centre Hierarchy to ensure total coverage and change in names to improve description of some centres.
Pg 122 and Figure 21, pg 123.	Description of Forster Medical Precinct expanded to reflect Council resolution to rezone land adjacent to the hospital and subsequent acquittal.
Pg 162	Pipers Creek identified as a possible site for subsidised commercial floorspace to reflect the existing recommendation made in the body of the report.
Pg 167	Recognition of need for environmental assessment prior to consideration of possible suitable sites for treatment as 'Simplified Planning Zones'.
Pg 172-177	<p>Amendments to section relating to recommendation for 'Manning Street Tuncurry' area including:</p> <ol style="list-style-type: none"> 1. Recognition that a discount department store could

	<p>act as a retail anchor for the area (pg 172).</p> <ol style="list-style-type: none"> 2. Reference of the Department of Planning's draft Centres Policy 2009 (pg 172) 3. Identification of an alternative option which may encourage the attraction of an additional retail anchor (pg 173) involving Council owned lots designated as 5(a) Special Uses at the junction of Kent Street and Peel Street and the site immediately north and recommends Council investigates the prospect of a joint venture agreement or long term lease with a private developer. 4. Change in zoning recommended for the area (page 174) <p>FROM:</p> <ol style="list-style-type: none"> 1. <i>the designation of a B3 Commercial Core Zone along Manning Street between the Junction of South Street and Beach Street (to the South) and Lake Street to the North.</i> 2. <i>the designation of the B4 Mixed Use Zone for land fronting Manning Street between Catherine Street and Kent Street and the lots currently designated as 3(a) Business to the north of Lake Street</i> <p>TO:</p> <ol style="list-style-type: none"> 1. <u><i>the designation of a B2 Local Centre Zone for land fronting Manning Street currently designated as 3(a) Business from Catherine Street to Lake Street including Council land at the junction of Kent and Peel Streets;</i></u> 2. <u><i>the designation of the B4 Mixed Use Zone for land surrounding land zoned B2 Local Centre in accordance with the spatial recommendations of the UDDR and including existing retail sites in Beach Street;</i></u> <p>(Note these changes were also made as a result of comments from public submissions. This zoning change is reflected in Tables 7, 58 and 61)</p> <ol style="list-style-type: none"> 5. Clarification of consultant's support for bonus FSR for pure employment generating development (pg 174-5). 6. Inclusion of recommendations regarding future design and building layouts in order to protect the function and operation of the centre's employment generating uses. (pg 175)
Pg 176 - 177	<p>Wharf Street, Forster:</p> <ol style="list-style-type: none"> 1. Inclusion of comments regarding the potential of the proposed Civic Precinct development on Little Street to act as another mechanism to support the economic viability of the centre. 2. Inclusion of recommendation to use the B4 Mixed use Zone surrounding the B2 Local Centre (this is consistent with the Urban Density and Design Review 2008).
Pg 178-9	<p>Inclusion of recommendations for land on Breckenridge Channel. Use of W1 Natural Waterways Zone is recommended (previously recommended as IN4 Working Waterfront Zone) excluding Graham Barclay Oysters.</p>
Pg 181	<p>Further detail / clarification of recommendation regarding the existing fringe bulky goods retail located along Breese Parade.</p>
Pg 181	<p>Further clarification provided in terms of how to minimise conflict between the Forster industrial precinct and</p>

	surrounding residential uses.
Pg 189 - 191	<p>Piper's Creek:</p> <ol style="list-style-type: none"> 1. Description and map of Piper's Creek site amended to better reflect area with development potential. 2. Amendment made to reflect update in relation to rezoning of land to B6 Enterprise Corridor adjacent to the subject site. 3. Clarification that any consideration of rezoning must be proceeded by more detailed investigations of site constraints 4. Addition of other points under 'key constraints / challenges to development' (pg 191).
Pg 198, Table 60 & pg 205, Table 61	Inclusion of proposed FSR, maximum height and staging for all centres and employment lands.
Pg 210, Table 62	Updates to phasing/commencement column to reflect date of release of revised strategy.
Pg 214	Existing zoning maps updated.
Appendix Forster (B) Map	<p>Breese Parade Centre: Amended to reflect the total area described in the body of the report to include the area to the south of Breese Parade relating to civic functions.</p> <p>Bulky Goods Fringe: Map amended to reflect recommendation to zone existing fringe bulky goods areas on Breese Parade and The Lakes Way to a B5 Business Development.</p> <p>Pipers Creek: Map amended to reflect indicative location of land identified as potentially employment uses</p>
Appendix Forster (C) Map	Map amended to reflect support of recommendation of South Forster Structure Plan and Council's resolution to prepare an LEP that facilitates a land swap of the existing area zoned industrial with the quarry site located alongside Sweet Pea Road.

Relationship with Development Control Plan (DCP) 51 Forster/Tuncurry Town Centres (2008):

Page 197 of the strategy states the following:

'There is one difference between our recommendations for the FSR and those recommended by DCP 51 Forster / Tuncurry Town Centres 2008. The difference relates to the potential for a bonus FSR of 3.5:1 within the B2 Local Centre Zone in Tuncurry. As discussed in the Strategy, a bonus is recommended to act as a development incentive for commercial development in desirable locations (such as Manning Street, Tuncurry).'

The consultants engaged to develop the DCP 51 concentrated on the urban density and design aspects of the area while the focus of the Forster Tuncurry Employment Land Strategy consultancy was very much on maximising economic benefits for the area including the provision of incentives to achieve desired outcomes.

Recent proposal to establish retail development of The Lakes Way, Forster:

The Department of Planning has received a combined Concept Application and Project Application for a retail development on The Lakes Way, Forster for the area known as 'Pipers Creek'.

The Department of Planning requested the provision of key issues and assessment requirements in July 2009. As part of this submission (tabled at Council in July), officer comments were made in relation to the proponent's 'Retail Floor Space Needs and Demand Assessment' which accompanied the application. In terms of the supply and future demand for retail development in the Forster Tuncurry area, the proposed development is contrary to some of the recommendations of the Draft Forster Tuncurry Employment Land Implementation Strategy, especially in terms of:

1. Location of future retail supply across Forster Tuncurry
2. Amount of additional retail floor space that is required in the area to 2031; and
3. Staging the provision of additional retail floor space to satisfy the demand of the area.

The Department of Planning has indicated that it intends to engage an independent consultant to undertake a review of both the 'Retail Floorspace Need and Demand Assessment' prepared on behalf of the proponent and Council's Draft Forster Tuncurry Employment Land Implementation Strategy. The consultant would be engaged to provide advice to the Department on the key differences and commonalities on the two studies.

It is likely that Council and its consultant, Hill PDA will be invited to workshop to discuss and develop a supported approach for the retail analysis for the site and for Forster Tuncurry.

While it was originally thought best to wait until the peer review was carried out prior to Council finalising its own FTELIS, the Strategy is referred to Council now for consideration of adoption so that the review takes into account the final document rather than the draft which was put on exhibition in November 2008.

Implementation of the strategy:

The strategy contains a variety of recommendations aimed at not only meeting the need for employment land generated by population growth but also provides specific opportunities for Council to be proactive in attracting new businesses and industries to the area that maximise and diversify employment opportunities and compliment the area's natural advantages and other strengths.

Recommendations for specific centres and employment lands within Forster Tuncurry will be referred to Council's planning section for consideration, especially in relation to the LEP review process.

The consultants have also recommended a suite of mechanisms to help attract a diverse range of employment generating businesses. These relate to various agencies, organisations and functions of Council. These mechanisms will be considered further by the Economic Development Advisory Committee and Economic Development Manager.

RECOMMENDATION:

Council adopt the Forster Tuncurry Employment Land Implementation Strategy (May 2009).