

Planning and Providing Our Infrastructure

Item: 13.15

Subject: OCEAN DRIVE LAKE CATHIE PLANNING AGREEMENT

Presented by: Development & Environment, Matt Rogers

Alignment with Delivery Program

5.4.1 Plan settlements to accommodate a range of compatible land uses that meets projected population growth for new and existing developments.

RECOMMENDATION

That Council delegate authority to the General Manager to determine and execute the Ocean Drive, Lake Cathie Planning Agreement.

Executive Summary

Council has been in negotiations with three separate landowners in Ocean Drive Lake Cathie to facilitate the coordination of the construction of a new intersection and associated infrastructure opposite Abel Tasman Drive. A draft Voluntary Planning Agreement (VPA) has been prepared that sets out the terms of agreement between the parties and Council. It is proposed that authority be delegated to the General Manager to determine the VPA following public notification in order to progress the matter without further delay.

Discussion

Development Application 2012/381 for a 176 lot subdivision and associated infrastructure was approved by Council on 21 February 2013 . The development application includes the construction of an intersection at Abel Tasman Drive/Ocean Drive Lake Cathie to serve two separate landowners' subdivisions as well as an adjoining property. Following an offer from the three landowners involved, Council has facilitated negotiations on the planning agreement provisions for the construction of the intersection and infrastructure to serve the proposed subdivisions.

The draft planning agreement has now reached a stage where all parties are in agreement with the provisions. It is anticipated that formal offers to enter into the agreement will be received shortly to enable public notification of the agreement.

Specific provisions of the VPA include:

- Staged construction of the intersection on Ocean Drive.
- Construction of a lead in road.
- Reimbursement of costs between the parties for the cost of construction of infrastructure.
- Payment of roads contributions.
- Construction of relocated water and sewer mains.

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- Construction of a sewer pump station.
- Payment of water and sewer contributions.
- Dispute resolution mechanisms .
- Registration of the VPA on the title of the land.
- Payment of Council's costs in relation the preparation and negotiation of the VPA.

A copy of the draft agreement is attached.

Options

Council could choose not to delegate Authority to the General Manager to determine the VPA. Choosing not to delegate this authority would potentially delay the commencement of the associated developments given that Council will not meet again until February 2015.

Community Engagement & Internal Consultation

Development Application 2012/381 for a 176 lot subdivision and associated infrastructure was placed on Public Exhibition via neighbour notification from 16 - 30 August 2012. No submissions were received.

Public notification of the draft VPA is yet to be carried out.

Relevant staff in the Infrastructure and Asset Management and Development and Environment Divisions have been consulted in the preparation of the draft VPA.

Planning & Policy Implications

The draft VPA conforms to Council's Planning Agreements Policy.

Financial & Economic Implications

The draft VPA is considered to have positive financial and economic impacts through the orderly coordination of infrastructure to serve development.

Development Contribution offsets will be provided for road, water and sewer works constructed by the developer.

Attachments

1 [View](#). Draft Ocean Drive Lake Cathie Planning Agreement