

Planning Proposal

Amendment to the Greater Taree Local Environmental Plan 2010

Lot 612 DP 1160096, Blackhead Road, Hallidays Point



July 2017

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1.0 Introduction

This planning proposal seeks to amend the *Greater Taree Local Environmental Plan 2010* (LEP 2010) to provide for residential development adjoining the Tallwoods Village.

Lot 612 Blackhead Road, Hallidays Point has been identified as an extension of the Tallwoods Village in local strategies since 2000 and is consistent with the *Mid North Coast Regional Strategy 2006-2031* and subsequently the *Hunter Regional Plan 2036*. In 2006, the process to rezone the land for residential purposes commenced, however given the changing legislative requirements, the applicant was advised that they would need to lodge a planning proposal under the 'Gateway planning process', being this document.

To facilitate the development of the land, changes are required to the *Greater Taree Local Environmental Plan 2010* (LEP 2010). This planning proposal outlines the characteristics of the site, how the proposed development is consistent with the planning controls, and the amendments that are proposed to the LEP. In summary, the change involves including the site in the R1 General Residential zone which would provide for conventional residential development of the land, with a small portion of the site being included in the E2 Environmental Conservation zone to protect an area with ecological value.

1.1 Site details

The subject land is located in Hallidays Point, which is south east of the regional centre of Taree and north of Forster. Hallidays Point is approximately 250km north east of Sydney within the Mid North Coast region.

The subject site adjoins the Tallwoods Village and is located south west of the existing developed areas. Tallwoods is located in the Hallidays Point area which is comprised of four (4) village areas and rural residential estates as shown in Figure 1.

The following table provides the specific details of the site.

Site Address	Lot 612 Blackhead Road, Hallidays Point
Real Property description	Lot 612 DP 1160096
Site Area	Approximately 17.02 hectares
Current zone	RU1 Primary Production

The site is currently used for small scale low intensity grazing activities and contains agricultural infrastructure, fencing, dams and feed bins.

The topography of the land is described as undulating with gradual slopes between 3-4 degrees grading down from the north west corner of the site to the south and east.

There are no creeks or major watercourses within the site. Small ephemeral gullies drain the land and cross the north eastern corner of the site and drain the southern part of the site to Blackhead Road.

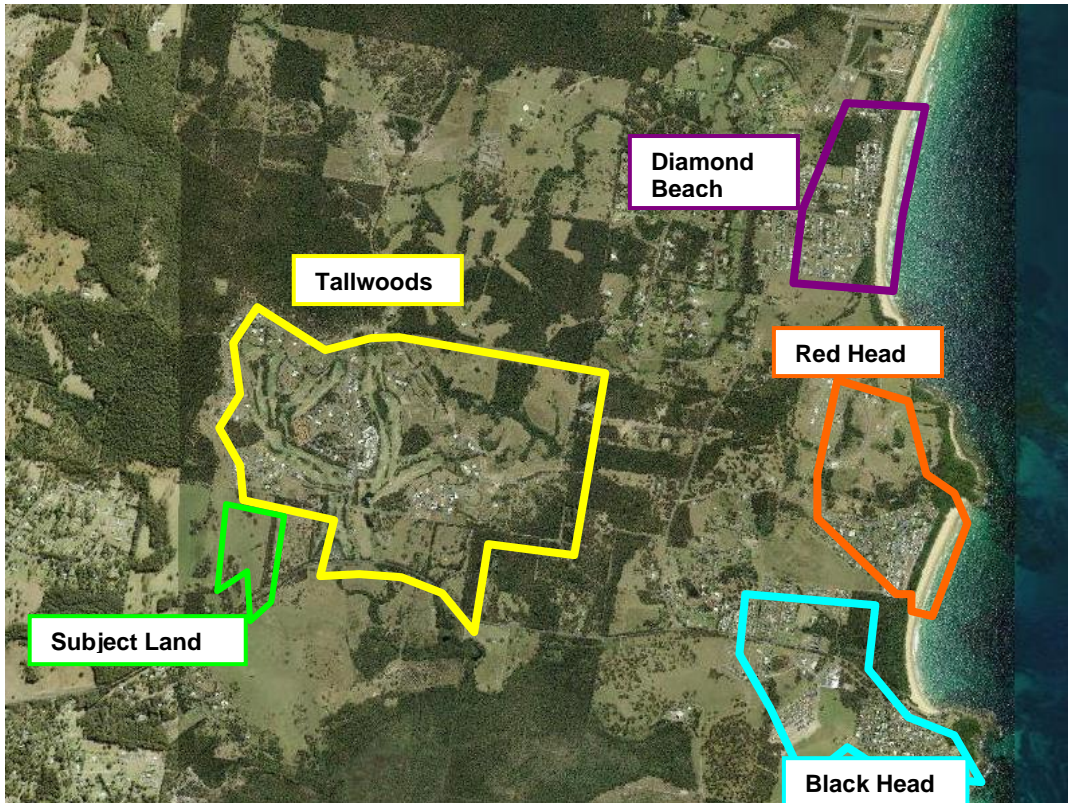


Figure 1 – Local context of Tallwoods in Hallidays Point [Source: LPMA SIX Maps]

The subject site has cleared grassland areas with small areas of highly disturbed woodland/forest. Vegetation is almost entirely modified from the indigenous vegetation community that would have existed over the land, other than small remnants of native trees comprising the disturbed woodland/forest areas. Ecological investigations identified that there is a small area of freshwater wetlands located in the small ephemeral gully crossing the north east corner of the site.

Figure 2 shows the existing RU1 Primary Production zone that applies over the site and an aerial view of the site.

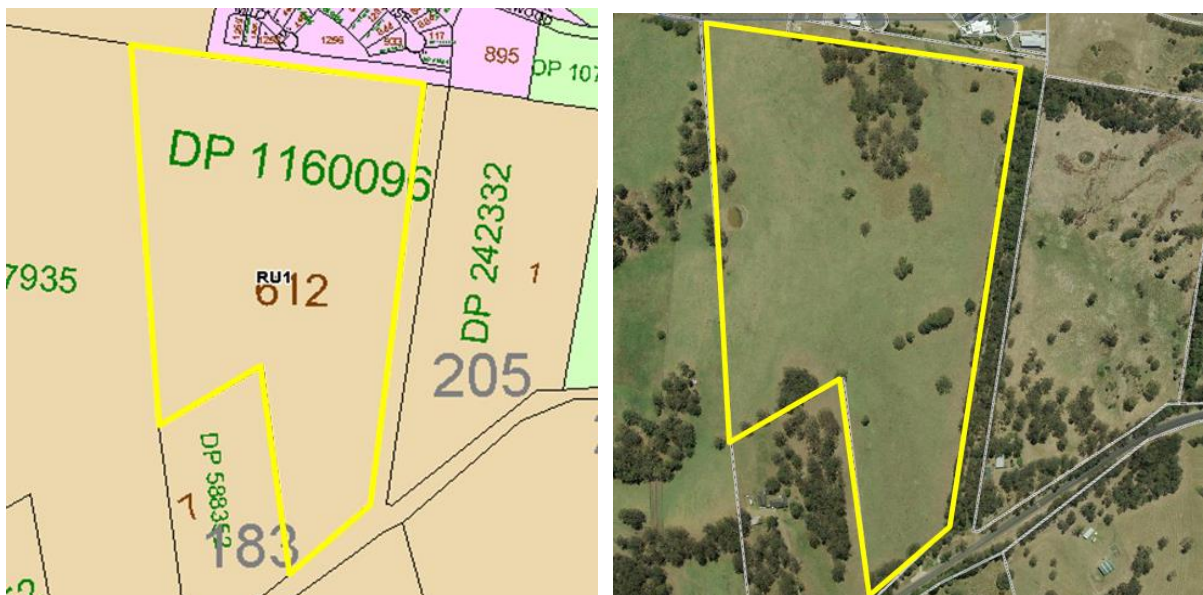


Figure 2 – Site zone and aerial photograph

2.0 Objectives

The key objective of the planning proposal is to extend the residential area of the Tallwoods Village. This site provides a more gentle sloping landscape than that provided elsewhere in the village and will enable a more conventional residential development. In addition, parts of the site with ecological values (containing Freshwater Wetlands Endangered Ecological Communities (EEC)) will be protected within an E2 Environmental Conservation zone.

3.0 Explanation of Provisions

To enable the development, the following amendments to LEP 2010 are required. The proposed changes have been determined on the basis of constraints identified for the land, and the needs of future residential development lands.

3.1 Zoning Changes

The following zone changes will apply:

- R1 General Residential zone (approx. 15.8 Ha) will apply to all of the capable land identified for future growth. The areas which form drainage corridors etc have been kept in the General Residential zone as the layout of the future residential development will be determined when more detailed planning applications are undertaken.
- E2 Environmental Conservation zone (approx. 1.2 Ha) has been placed over the north eastern corner of the site which includes the small wetland area identified as EEC in the ecological assessment for the site. This portion of the site includes all of the drainage corridor which will buffer the area and provide an area for rehabilitation of the wetland in the future.

Zone:

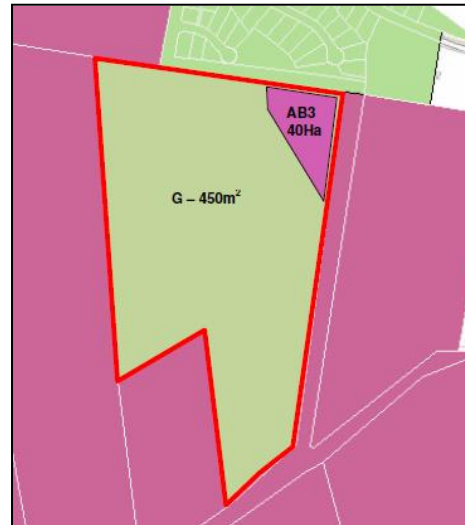
Existing – RU1 Primary Production
Proposed – R1 General Residential and E2 Environmental Conservation



3.2 Lot Size Controls

To facilitate subdivision of the land in a manner consistent with the proposed residential zone, the lot size controls over the land will be modified as follows:

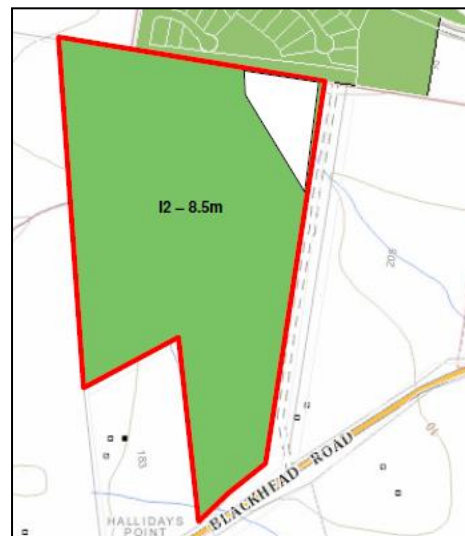
- R1 General Residential zoned areas – 450m²
- E2 Environmental Conservation zoned areas – 40 hectares



3.3 Height of Buildings

The land is not currently subject to height of building controls. To facilitate building development on the land in a manner consistent with the proposed zonings the controls will be added as follows:

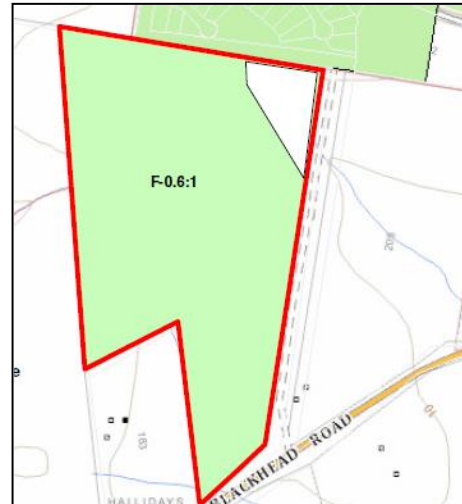
- R1 General Residential zoned areas – 8.5 metres
- E2 Environmental Conservation zoned areas – no control



3.4 Floor Space Ratio

The land is not currently subject to floor space ratio controls. To facilitate building development on the land in a manner consistent with the proposed zonings the controls will be added as follows:

- R1 General Residential zoned areas – 0.6:1
- E2 Environmental Conservation zoned areas – no control.



3.5 Development Control Plan

A Development Control Plan (DCP) has been prepared for the land which will be exhibited concurrently with the Planning Proposal. The DCP provides controls for future development to ensure certain matters are addressed. The DCP provides controls for:

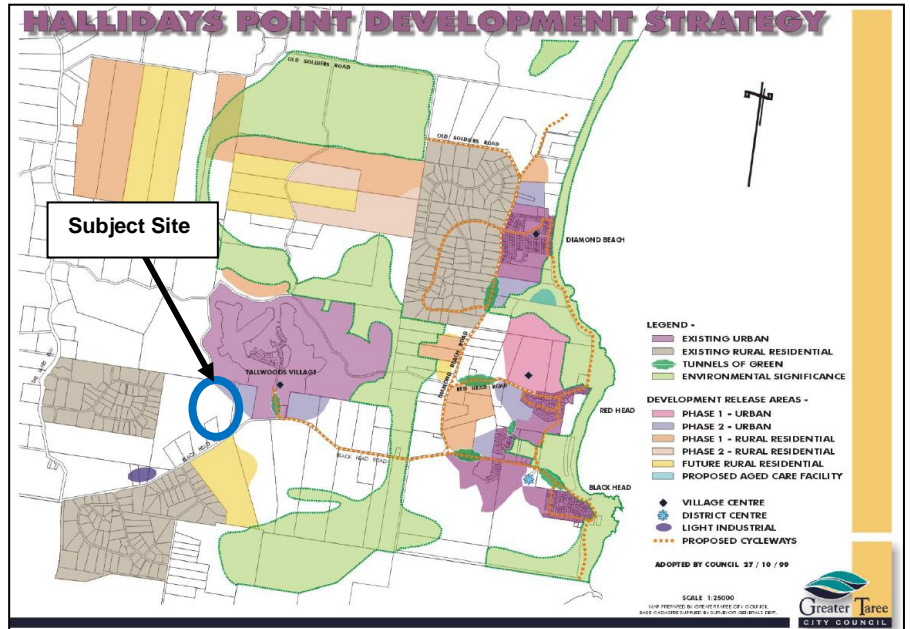
- Rehabilitation of Environmental Conservation Zones.
- Offset planting for loss of native trees within the site.
- Retention/Enhancement of Vegetation Screening along the Blackhead Road frontage.
- Controls for vehicular access to/from the site, including restriction of access to Blackhead Road (other than for emergency access) and provision of access linkage to the east and west.

4.0 Justification of Provisions

4.1 Need for the planning proposal

4.1.1 Is the planning proposal a result of any strategic study or report?

Planning for the urban expansion at Tallwoods has been the subject of Council strategies since 2000 when it was identified in the *Hallidays Point Development Strategy* (map to right). Part of this site was identified as Phase 2 urban which could commence rezoning following the release of Phase 1 urban areas. The Phase 1 areas in the strategy have been rezoned for residential purposes. Including this proposal, approximately 50% of the Phase 2 areas will be rezoned for residential purposes.



In 2005, Council prepared the *Greater Taree Draft Conservation and Development Strategy* for the local government area. The Strategy identified the subject land as 'Urban Expansion' consistent with the Hallidays Point Strategy. While this Strategy was not endorsed by the NSW Department of Planning and Environment, many of the future development areas were included in the *Mid North Coast Regional Strategy 2006-2031* and subsequently the *Hunter Regional Plan 2036*. At this time, the majority of the site was identified as a proposed urban area.

Consistently over the last 16 years, the site has been identified as being suitable for the residential expansion of the Tallwoods Village.

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

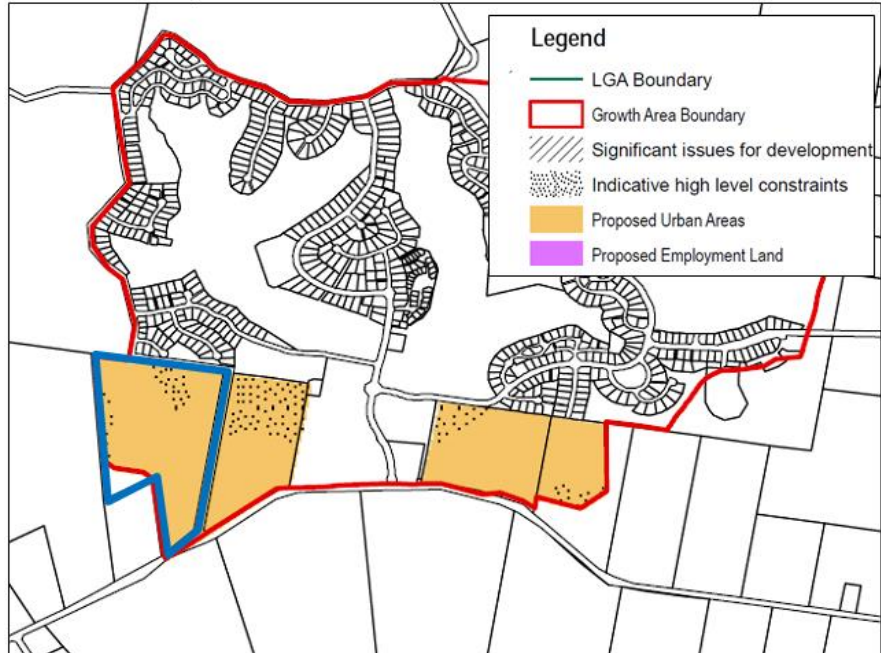
The planning proposal is the appropriate and most transparent means of achieving the objectives for this site. The existing zoning and lot size controls do not enable the development of residential development opportunities and therefore changes to the planning controls are necessary to achieve the desired residential development outcome.

4.2 Relationship to Strategic Planning Framework

4.2.1 Is the planning proposal consistent with the objectives and actions of the applicable regional strategy?

The *Mid North Coast Regional Strategy 2006-31* identifies the majority of the site as a proposed urban area as shown in the map below.

The environmental constraints identified in the Strategy have been assessed and the results provided in this planning proposal. The residential zoning of the land will provide for conventional housing development that is consistent with the character of the surrounding area, and is consistent with the objectives of the Strategy.

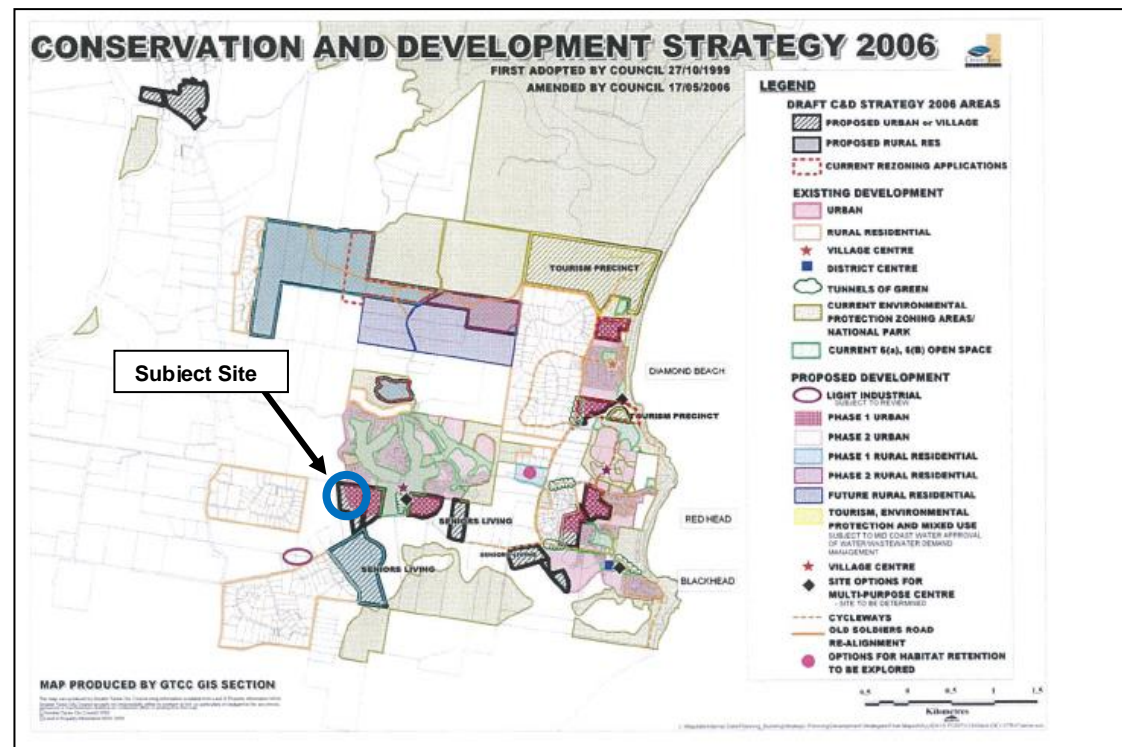


A large portion of the Tallwoods Village is comprised of residential lots with steep slopes, which provide a range of constraints for buildings and their access. As a result, lands within the Village that are not constrained by steep slopes have been developed rapidly and are in short supply. The rezoning of this site will provide more affordable sites for conventional housing to meet this market demand. In this regard, the proposal is consistent with a key challenge and principle of the Regional Strategy by providing an increased range of housing choices in the Tallwoods Village to meet local demand.

4.2.2 Is the planning proposal consistent with a council's local strategy or other local strategic plan?

As mentioned in sections 4.1.1 and 4.2.1, the land is identified in the following local strategies:

- *Hallidays Point Development Strategy 2000*
- *Draft Hallidays Point Conservation and Development Strategy Review 2006* (shown below)
- *Draft Greater Taree Conservation and Development Strategy 2006*.



4.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

Koala Habitat Protection (SEPP 44)

This policy requires that the site be surveyed to determine if land constitutes potential or core koala habitat. Investigations by Conacher Travers in 2003 revealed that there were koala feed tree species on the site that may constitute potential koala habitat (in the woodland vegetation communities). The investigations concluded that vegetation on this site would be unlikely to constitute core koala habitat. Further investigation was undertaken in October 2015 by Naturecall Environmental (see Attachment A) which included a targeted search for koalas and koala activity using diurnal searches, spotlighting and spot assessment techniques. No koala activity was detected on the land by the surveys and the land does not constitute core koala habitat.

Remediation of Land (SEPP 55)

State Environmental Planning Policy Number 55 (SEPP 55) deals with land that is contaminated and the requirements for remediation of that land. Clause 6 of SEPP 55 requires that when Council is considering zoning changes it must consider if the land is contaminated, and if contaminated, will it be suitable for the use or will it need to be remediated.

In relation to the subject land, it has been used for generally low intensity agricultural uses. There is no evidence of past uses being significantly contaminating. A Site Contamination Assessment has been undertaken by Regional Geotechnical Solutions which included targeted soils sampling and testing. It has been identified that the land is suitable for development in its uncontaminated state as identified in the report done by Regional Geotechnical Solutions. A copy of the Site Contamination Assessment is provided in Attachment B.

State Environmental Planning Policy (Rural Lands) 2008 [SEPP (Rural Lands)]

The aim of this policy is to facilitate the orderly and economic use of rural lands. The SEPP requires consistency with the Rural Planning Principles outlined in the SEPP, which is provided in the following table.

Clause 7 Principles	Comment
(a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas	The site is not highly productive agricultural land, and only supports low scale hobby farming type activities. The change of these lands from agricultural use will not result in significant loss of productive agricultural land or of opportunity for sustainable rural activities.
(b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State	The subject land is not highly productive agricultural land and is not important for agricultural production in the locality.
(c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development	The planning proposal does not result in the loss of rural land uses which are important for the social and economic benefits or rural communities. The planning proposal supports local growth in accordance with the local and regional strategy and provides for maintenance and enhancement of services for the local community.
(d) in planning for rural lands, to balance the social, economic and environmental interests of the community	The proposal is balanced and provides social and economic benefits for the community. The local and regional strategies provide for a balanced approach for development and include urban growth over the subject land.
(e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land	The planning proposal affects land which has been modified from past activities and has minimal biodiversity values. A small area of wetland EEC located in the north eastern corner of the site will be protected by an Environmental Management zone.
(f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities	The planning proposal provides for development in a manner identified in local and regional development strategies for the area which adds to the social and economic welfare of the community.
(g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing	Relevant service providers will be consulted. The proposal will have access to reticulated water, sewer, power and telecommunications, which may need to be augmented to support the future development.

Clause 7 Principles	Comment
(h) ensuring consistency with any applicable regional strategy or any applicable local strategy endorsed by the Director-General	The planning proposal is consistent with the <i>Hunter Regional Plan 2036</i> and local strategies.

While the site is included in the Primary Production (RU1) zone, it is not highly productive agricultural land. In addition, this site has been identified for residential development in local and regional development strategies for over 16 years. The proposal provides residential land in a manner consistent with the Council's strategies and plans for the area.

4.2.4 Is the planning proposal consistent with applicable Ministerial Directions (Section 117 directions)?

The following Ministerial Directions are applicable to the Planning Proposal:

Direction	Comment	Consistency with direction
1.2 Rural Zones	This direction requires that land zoned rural must not be rezoned to a residential, business, industrial, village or tourist zone unless it is supported by a local or regional strategy, which considers the objectives of the direction, or is a proposal of minor significance.	The proposal is consistent with the future urban growth areas identified in the <i>Hunter Regional Plan 2036</i> .
1.5 Rural Lands	This direction requires that a rezoning must be consistent with the Rural Planning Principles and Subdivision Principles contained in <i>State Environmental Planning Policy (Rural Lands) 2008</i> .	An assessment of the Rural Planning Principles is provided in Section 4.2.3 and concluded that the planning proposal is consistent with the principles. In addition, the proposal is consistent with the <i>Hunter Regional Plan 2036</i> .
2.1 Environmental Protection Zones	This direction requires the protection of environmentally sensitive areas.	The ecological investigations by Naturecall Environmental (see Attachment A) identified a small area of freshwater wetland in the north eastern corner of the site which, based on the precautionary principle, was found to be an Endangered Ecological Community (EEC). The planning proposal requires that part of the site is to be included in the E2 Environmental Conservation Zone. A DCP has been prepared which also provides controls for the rehabilitation of the Environmental Conservation Zone and offset planting for the loss of native trees on the site to occur within the conservation zone.
2.3 Heritage Conservation	This direction aims to consider the conservation and protection of items of heritage and Aboriginal cultural significance.	The site does not contain any potential or listed heritage items. In regard to Aboriginal cultural significance, an Aboriginal Heritage Assessment has been undertaken by Myall Coast Archaeological Services to OEH requirements as provided to Council. The assessment has been undertaken with the

Direction	Comment	Consistency with direction
		Local Aboriginal Land Council and satisfies the requirements of the 117 Direction. The assessment did not identify any Aboriginal objects at the site, and based on landscape attributes finds that subsurface objects were unlikely.
3.1 Residential Zones	<p>This direction requires that the planning proposal should:</p> <p><i>(a) broaden the choice of building types and locations available in the housing market, and</i></p> <p><i>(b) make more efficient use of existing infrastructure and services, and</i></p> <p><i>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p><i>(d) be of good design.</i></p> <p><i>(5) A planning proposal must, in relation to land to which this direction applies:</i></p> <p><i>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p> <p><i>(b) not contain provisions which will reduce the permissible residential density of land.</i></p>	<p>The General Residential zone allows for a range of residential uses that can provide housing choice in the Hallidays Point area. The type, density and design will be determined through the subsequent development applications.</p> <p>Relevant service providers will be consulted. The proposal will have access to reticulated water, sewer, power and telecommunications, which may need to be augmented to support this future development.</p> <p>The proposal is also consistent with the <i>Hunter Regional Plan 2036</i>.</p>
3.4 Integrating Land Use and Transport	This direction requires the planning proposal to give effect to policies aimed at improving transport oriented design in urban areas.	This site is located in a coastal village with limited access to public transport. A bus service connects the Village with Taree and Forster and runs four (4) times a day Monday-Friday and two (2) times a day on Saturday. The bus route passes the subject site, providing an alternative to cars for transport.
4.4 Planning for Bushfire Protection	This direction applies given the site is mapped as bushfire prone land. The direction requires consultation with the NSW Rural Fire Service for proposals on land that is mapped as Bushfire Prone Land.	Following consultation with the NSW Rural Fire Service a Bushfire Assessment was undertaken addressing further matters raised. A copy of this bushfire assessment has been included at Attachment C showing that development of the land can be undertaken in a manner compliant with <i>Planning for Bush Fire Protection 2006</i> . The Rural Fire Service have reviewed this report and advised no objection to the Planning Proposal. A copy of the RFS correspondence is provided in Attachment

Direction	Comment	Consistency with direction
		E.
5.10 Implementation of Regional Plans	This direction requires that the proposal be consistent with the <i>Hunter Regional Plan 2036</i> .	The proposal is consistent with the future urban growth areas identified in the <i>Hunter Regional Plan 2036</i> .
6.1 Approval and Referral Requirements	This direction ensures the proposal encourages the efficient and appropriate assessment of development by minimising the need for concurrence with or referral to the Minister or a public authority.	The planning proposal does not create any additional requirements for concurrence with or referral to the Minister or public authority beyond existing planning requirements.

5.0 Environmental Social and Economic Impact

5.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is highly disturbed and modified. It has been cleared for past activities and contains only remnant native trees scattered amongst the grasslands. An ecological assessment of the land was undertaken in October 2015 by Naturecall Environmental (see Attachment A) which involved a survey of the flora and fauna present on the land and the likely ecological values as habitat or corridors. The ecological assessment found that the only constraint to development was a small area of freshwater wetland located in an ephemeral drainage line in the north eastern corner of the site. This wetland has been identified as having high ecological value as it is considered to be representative of the Endangered Ecological Community 'Freshwater Wetlands on Coastal Floodplains' listed under the NSW *Threatened Species Conservation Act 1995*. In recognition of the conservation significance of this wetland, this area is to be retained within the development layout and rezoned to Environmental Conservation (E2). In accordance with the DCP, the rehabilitation and ongoing management of the EEC will be assured through the preparation of a Vegetation Management Plan, which will be registered on the title of the land as a S88B instrument.

5.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Given the disturbed nature of the land, few significant environmental constraints have been identified. The following environmental issues have been examined based on review of the previous reports and available information for the land.

5.2.1 Visual

The site is not highly visible in the surrounding visual catchment. The development outcomes that could result from the planning proposal are consistent with the existing Tallwoods development. There is an existing tree lined frontage along the Blackhead Road frontage (see photograph) which should be retained/enhanced as sought in the local strategies.



Google Street view of Blackhead Road frontage

This existing vegetation will be retained and enhanced through development of the land. The DCP prepared for the site provides for the protection and enhancement of a 10 metre wide vegetation screen along the sites frontage to Blackhead Road.

5.2.2 Ecological

As mentioned previously, Naturecall Environmental was engaged to undertake an ecological assessment of the site (see Attachment A). The assessment identified that there is a freshwater wetland located in the small ephemeral gully crossing the north east corner of the site. It is important to retain the wetland, but also ensure drainage to the wetland is maintained. To address this issue the area is proposed to be included in the E2 Environmental Conservation zone for protection.

There are no significant ecological values on the remainder of the site, being comprised primarily of disturbed pasture areas, and a small area of highly disturbed dry sclerophyll woodland. To ensure existing ecological values of the site are maintained or improved, the DCP for the site provides for the protection and rehabilitation of the environmental conservation area, the provision of vegetation management over the site that includes offset planting for any native trees removed. The DCP also ensures that existing natural drainage regime is maintained to protect and improve the EEC.

5.2.3 Soils

Soils over the land are generally comprised of consolidated materials. The slopes over the land are not considered steep and there is no evidence of slope instability over the land.

The site is not mapped as having potential for Acid Sulfate Soils to be present. As discussed in relation to SEPP 55, a Site Contamination Assessment has been undertaken for the site. It has been identified that the land is suitable for development in its uncontaminated state as identified in the report prepared by Regional Geotechnical Solutions.

5.2.4 Stormwater

The subject site is elevated and would not be identified as flood prone land.

The site is drained via existing ephemeral gullies and freely drains to the south and south west. The gully through the north eastern corner of the site also conveys flows from a small area of residential developed land in Tallwoods. This gully has been included in an environmental zone to maintain the flows through the gully.

The site drains to Frogalla Swamp and any future subdivision layout would need to provide large drainage reserves for water detention and install water quality structures to treat drainage from the site. Stormwater from the site would be controlled to meet Council's requirements of consistency in water quality and quantity with predevelopment storm water patterns ie, neutral or no net increase on water quality and quantity as stated in Council's DCP.

5.2.5 Traffic

Vehicular access to the site is available from The Pulpit which is a perimeter collector road for the Tallwoods Village that carries traffic from the western parts of the village to the main entrance at Blackhead Road. Traffic from the site will travel along The Pulpit to Grange Avenue, and then to The Boulevard, which connects with Blackhead Road as the main entrance to the Tallwoods Village. All these roads are constructed as wide roads with high capacities that carry large volumes of traffic from the existing Tallwoods Village areas and would be capable of taking the additional traffic loads. Some treatment of intersections may be required as a result of additional traffic assessment for future development applications.

To ensure that appropriate provision is made for future traffic connections and control of access, the DCP for the land includes controls in relation to access to the site. The controls provide for:

- Restriction of Access to Blackhead Road, other than for emergency purposes (fire trail).
- Provision of future access connection for land to the east and west.

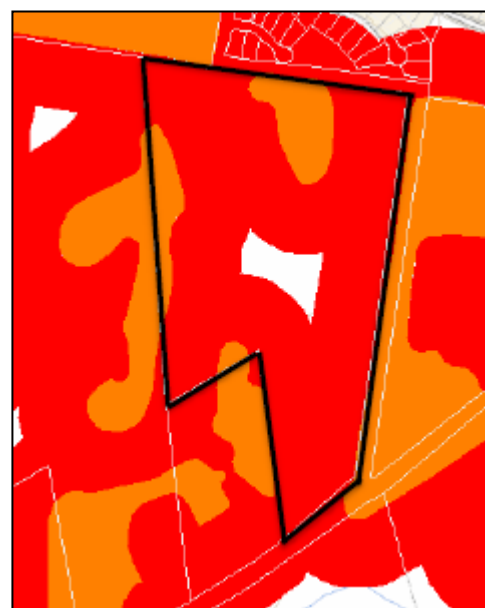
5.2.6 Bushfire

The subject land is partly identified as Bushfire Prone Lands. The Bushfire Prone Lands map below applies to the site and includes:

- minimal Bushfire Prone vegetation on site
- limited to small woodland pockets on site and along western boundary
- narrow remnants of forest vegetation in road reserve and private land to the east
- buffer areas from this vegetation cover much of the site.

Compliance with the NSW Rural Fire Service Guideline *Planning for Bush Fire Protection 2006* has been examined in the Bushfire Assessment prepared for the site (Attachment C). This assessment has been prepared following initial consultation with the NSW Rural Fire Service.

The assessment has concluded that future development on site is capable of providing compliance with the



planning principles of *PBP* and *Community Resilience Practice Note 2/12 – Planning Instruments and Policies*.

As outlined in section 4.2.4, consultation with the NSW Rural Fire Service has been undertaken. A copy of their response is provided in Attachment E, and they have advised that they have no objection to the Planning Proposal.

5.2.7 Heritage

There are no items of European heritage identified on the land. There are no heritage items listed on adjoining lands or on any land in close proximity to the subject land. The land does not contain any buildings or structures which would be considered to have heritage values.

Aboriginal cultural heritage has been investigated by Myall Coast Archaeological Services and has included consultation with the Aboriginal community. The cultural heritage assessment did not identify any Aboriginal Cultural Heritage materials at the site or identify that the site was likely to contain such materials. The report concluded that the rezoning could proceed. The report has been refined following consultations with the NSW Office of Environment and Heritage (OEH). OEH have advised that they have no objection to the Planning Proposal as detail in their correspondence in Attachment E.

5.2.8 Land Supply

The availability of developable land in Tallwoods has been examined in some detail. While there are undeveloped lots in the existing village area and areas of land zoned for residential use which have not yet been subdivided, only a small portion of this land can be developed without a higher level of site-specific structural design engineering solutions to accommodate slope constraints.

When Tallwoods was first developed, there was a rapid take-up of land in the first releases which were located in the southern parts of the site over the areas with gentler slopes where conventional housing forms could be constructed. These southern areas have been largely developed and there are few vacant lots in this area.

Other areas of the village are comprised of steeply sloping lots which do not facilitate conventional building forms and require site specific design solutions with significant allowance for the steep slopes as can be seen in the following photographs:



These lots are difficult to build on and have a limited market. There are very few lots left in the Tallwoods Village that provide opportunities for more affordable conventional housing options.

Land in the north eastern parts of the village area are zoned for standard residential development, however due to development costs on steeply sloping land and the limited market for such lots, the owner is currently developing the residential zoned land as large rural residential sized lots.

Given the limited supply of small residential lots which are suitable for more conventional housing, there is a demand for such lots and the subject site can supply such lots to meet this demand.

5.3 *Has the planning proposal adequately addressed any social and economic effects?*

The subject land is currently utilised for limited low scale grazing purposes and there would be no loss of significant agricultural production as a result of the proposal.

The proposal provides growth in the area consistent with the local strategies which promotes social and economic benefits for the area. The proposal will provide land suitable for conventional residential development which is not well supplied in the Tallwoods Village and will provide a broader range for the local market. Once approved the development will support the local construction industry and maintain/increase employment in this industry.

The site does not contain any items of European Heritage and would be unlikely to contain any items of significance. Aboriginal cultural heritage has been investigated by Myall Coast Archaeological Services and has included consultation with the Aboriginal community. The cultural heritage assessment did not identify any Aboriginal Cultural Heritage materials at the site or identify that the site was likely to contain such materials. The report concluded that the rezoning could proceed. This assessment has been reviewed by OEH who have raised no objection to the Planning Proposal.

6.0 *State and Commonwealth Interests*

6.1 *Is there adequate public infrastructure for the planning proposal?*

The proposal provides for a small amount of village expansion and does not involve a significant population increase. Servicing for the area is provided on the basis of the local growth strategies.

Service infrastructure required for the proposed subdivision will be for water, sewer, electricity and telecommunications. Water and sewer will be provided by MidCoast Water's reticulated water and sewerage systems. The site adjoins existing electricity services and will have access to electricity services, subject to necessary augmentation and reticulation in construction. Telephone services are available in the area and can be extended to future subdivision on the land. Public infrastructure is considered adequate for the proposal.

Consultation with MidCoast Water has been undertaken, and a copy of their correspondence is provided in Attachment E. MidCoast Water has advised that the site is located within water and sewer service areas and that there is sufficient capacity for development of the land.

6.2 *What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?*

The Gateway determination required consultation with the following authorities:

- Department of Planning and Environment;
- NSW Rural Fire Service; and
- MidCoast Water.

All required consultations have now occurred and the following table details the outcomes of these consultations. A copy of the correspondence received is provided in Attachment E.

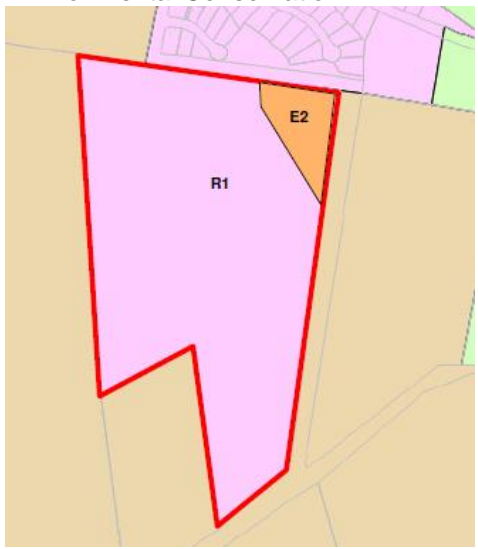
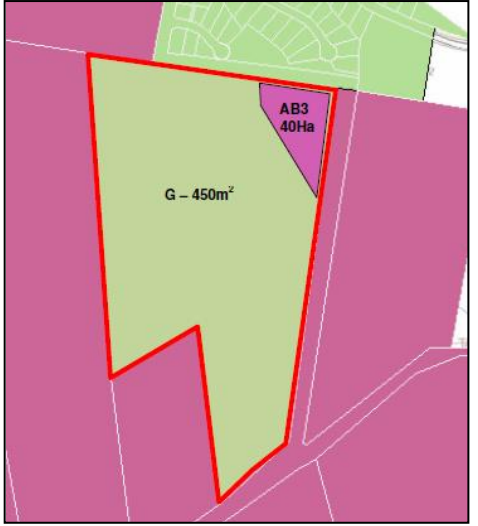
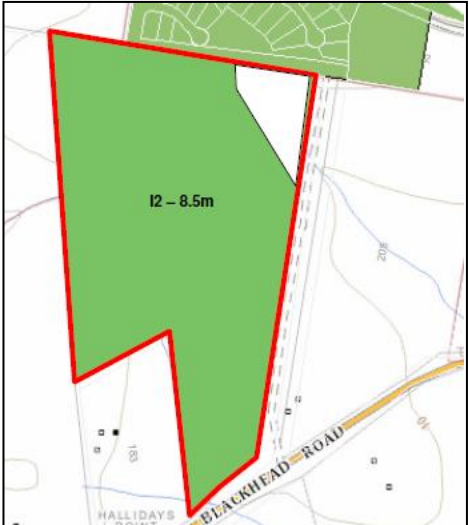
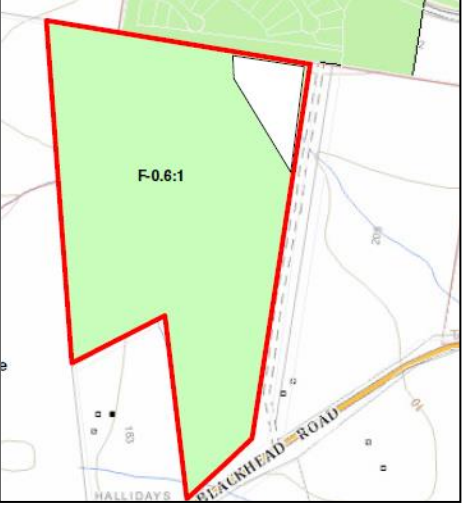
Agency	Comment
Office of Environment and Heritage 29 March 2016	Preliminary consultation and to seek advice on investigations for cultural heritage. Advice as follows: <ul style="list-style-type: none"> • OEH prefers application of the E2 zone to the area identified as E3 in the Planning Proposal. • Providing requirements for the Aboriginal Cultural Heritage Assessments.
Office of Environment and Heritage 15 November 2016	Response to information provided with the following noted: <ul style="list-style-type: none"> • Object to Planning Proposal based on concerns with the Aboriginal Cultural Heritage Assessment. • Request further consideration of biodiversity considerations including offset to provide for an “improve or maintain” outcome.
Office of Environment and Heritage 19 June 2017	Advising that Aboriginal Cultural Heritage Assessment as revised addresses concerns raised and that OEH have no objections on the basis of Aboriginal Cultural Heritage.
NSW Rural Fire Service 24 March 2017	The NSW RFS has no Objection to the Planning Proposal and provides the following comment: <ul style="list-style-type: none"> • Any future residential subdivision development applications under S100B of the Rural Fires Act 1979 shall comply with the specifications and requirements of <i>Planning for Bushfire Protection 2006</i>. • The future residential subdivision layout shall include public road linkages to existing lands immediately to the east and west of the subject land. • The future residential subdivision shall include an emergency road access from the proposed public road system to Blackhead Road.
Mid Coast Water 25 November 2016	The site is located within MidCoast Water’s servicing area and can be serviced through an extension of both water and sewerage reticulation networks. No Objection is raised to the Planning Proposal, with the following noted: <ul style="list-style-type: none"> • A water and sewer strategy will be required for future development • All infrastructure shall be at the developers cost. • The developer will be required to obtain certificates of compliance and attainment from MidCoast water during development of the site.

These matters have been addressed in the following manner:

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- The area proposed to be zoned E3 - Environmental Management has been updated to the E2 - Environmental Conservation Zone within this Planning Proposal.
 - Provisions for Maintenance and improvement of ecological values have been included in the DCP to be adopted for the land and exhibited concurrently with the Planning Proposal.
 - An Aboriginal Heritage Survey has been undertaken, including consultation as required which satisfies OEH. A copy of this assessment is included in Attachment D. This Planning Proposal has been updated from the findings of this assessment.
 - The DCP for the land has included provisions for access provision/control consistent with the recommendations of the NSW Rural Fire Service.

7.0 Mapping

Mapping has been prepared for the planning proposal as shown below. Maps consistent with the LEP will be prepared for exhibition.

<p>Zone: Existing – RU1 Primary Production Proposed – R1 General Residential and E2 Environmental Conservation</p> 	<p>Lot size: Existing – 40Ha for RU1 Primary Production Proposed – 450m² for R1 General Residential and 40 Ha for E2 Environmental Conservation</p> 
<p>Height of buildings: Existing – not applicable Proposed – 8.5 metres for R1 General Residential and not applicable for E2 Environmental Conservation</p> 	<p>Floor Space Ratio: Existing – not applicable Proposed – 0.6:1 for R1 General Residential and not applicable for E2 Environmental Conservation</p> 

8.0 Community Consultation

The Gateway determination has specified the community consultation that must be undertaken for the planning proposal. The proposal will be placed on exhibition for 28 days. During the exhibition period Council will:

- advertise the planning proposal in a local paper;
- provide information about the planning proposal at the Council's Administration Building, Hallidays Point and Taree Library. Council's website will also have available all relevant documents; and
- notify surrounding residents via a letter.

9.0 Project Timeline

The following timeline is anticipated for the planning proposal:

Task	Responsibility	Timeframe	Date (approx)
Draft planning proposal reported to Council for consideration	Greater Taree City Council		January 2016 (actual)
Lodgement of planning proposal for Gateway determination	Greater Taree City Council		February 2016 (actual)
Gateway determination	Department of Planning and Environment	4 weeks	February 2016 (actual)
Additional investigations and assessments prepared	Proponent/MidCoast Council	24 weeks	November 2016
Consult with Agencies and refine Planning Proposal, including preparation of draft DCP.	Proponent/MidCoast Council	30 weeks	June 2017
Exhibition of planning proposal	MidCoast Council	Minimum 28 days	September 2017
Planning proposal reported to Council	MidCoast Council	4 weeks	November 2017
Making of Local Environmental Plan	Minister for Planning and Environmental	6-8 weeks	January 2017

10.0 Attachments

- A - Ecological Assessment
- B – Contamination Assessment
- C – Bushfire Assessment
- D – Cultural Heritage Assessment
- E – Correspondence from agencies following consultation

Attachment A – Ecological Assessment

Attachment B – Contamination Assessment

Attachment C – Bushfire Assessment

Attachment D – Cultural Heritage Assessment

***Attachment E – Correspondence from Agencies following
Consultation***