

10.5 LOUTH PARK URBAN RELEASE AREA - LEP AMENDMENT

File No:	RZ06008
Attachments:	1. Locality Plan 2. Previous Report 14 September 2010 3. Planning Proposal 4. Plan showing individual landowners 5. Submissions 6. Constraints Map
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Maitland 2021	Outcome 7: Diverse and affordable housing
Council Objective:	7.2.1 To ensure land and housing choice is consistent with forecast demographic demand

EXECUTIVE SUMMARY

*At its meeting of 14 September 2010, Council considered and supported a report and planning proposal for the Louth Park Investigation Area (IA) which proposed an amendment to the Maitland Local Environmental Plan (LEP) 1993 providing for 1(c) Rural Small Holding and 1(d) Rural Residential zones over the subject lands. A copy of the 14 September 2010 report is appended to this report as **Attachment 2**.*

Pursuant to the provisions of the Environmental Planning and Assessment Act (EP&A Act) 1979, the planning proposal for the Louth Park IA was submitted to the Department of Planning and Infrastructure (DoPI) for a Gateway Determination. On 15 December 2010 Council received notification from the DoPI recommending the planning proposal not proceed through Gateway and that further investigations occur into the ability of the land to support a higher lot yield.

In addition to the above, Council at its meeting of 30 August 2011 considered a report on the Maitland Urban Settlement Strategy (MUSS) 2010 review, which included, amongst other things, a component relating to the Louth Park IA. Council resolved at this meeting that the Louth Park IA rezoning proposal can be identified as an R5 Large Lot Residential zone when reported back to Council.

The purpose of this report is to inform Council of the progression and findings of the investigations into a higher lot yield, how this may fit into the R5 Large Lot Residential zone of the Maitland LEP 2011, and to propose that the new planning proposal and draft LEP amendment be submitted to the DoPI for Gateway Determination.

OFFICER'S RECOMMENDATION**THAT**

- 1. The draft local environmental plan for the Louth Park Investigation Area**

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- be endorsed as the Louth Park Urban Release Area rezoning the land to R5 Large Lot Residential, as detailed in the attached planning proposal.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the planning proposal for the Louth Park Urban Release Area be submitted to the Department of Planning and Infrastructure for a Gateway Determination.
 3. A further report be presented to Council following the public consultation period, to demonstrate compliance with the gateway determination and to provide details of any submissions received during that process.

REPORT

The purpose of this report is to:

- Present a draft local environmental plan for Louth Park Urban Investigation Area;
- Detail the consultation and investigations undertaken to prepare the draft plan;
- Explain and justify the intended effects of the draft plan; and
- Outline the next steps for the draft plan.

This report should be read in conjunction with the Planning Proposal included as **Attachment 3** to this report.

BACKGROUND

At its meeting of 14 September 2010, Council considered a report for the rezoning of land within the Louth Park Investigation Area for urban purposes. The report addressed the investigations undertaken by the landowners, consultants and Council to determine the type and extent of constraints affecting the land, and potential development outcome for the site.

These initial investigations also included consultation with public authorities:

- Former Department of Primary Industries;
- Former Roads and Traffic Authority;
- NSW Rural Fire Service;
- Mine Subsidence Board;
- Hunter Water Corporation;
- Former Department of Water and Energy;
- Former Department of Environment and Climate Change;
- Energy Australia;

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- Mindaribba Local Aboriginal Land Council

No objections were raised during this process, however, some concerns were raised regarding the provision of public infrastructure, unstable lands and flora/fauna issues.

The previous report to Council included a Planning Proposal and draft LEP amendment proposing an amendment to the Maitland LEP 1993 to rezone the subject lands to 1(c) Rural Small Holdings and 1(d) Rural Residential. These zones provided for a mix of 4000m² and 2000m² lot sizes. Council resolved to support the proposed draft LEP amendment to the Maitland LEP 1993, and submit this to the Department of Planning and Infrastructure (DoPI) for a Gateway Determination.

On 15 December 2010, Council received notification from the DoPI that the planning proposal for the Louth Park IA should not proceed through Gateway. The reason being:

- The advanced preparation and exhibition of the draft Maitland LEP 2011, as it is unlikely that the plan can be finalised prior to the publication of the comprehensive LEP;
- Council undertake further strategic planning assessment to justify the proposed zoning and lot sizes to establish consistency with the Maitland Urban Settlement Strategy (MUSS) and Lower Hunter Regional Strategy (LHRS).

In addressing this, the DoPI advised Council to consider a higher lot yield from the site supported by relevant zones and lot size map under the Maitland LEP 2011.

To date Council has met with landowners and their consultants on a number of occasions to discuss the unsuccessful gateway determination and advice from the DoPI. The intent of the meetings was to glean from the landowners their preferred direction with the proposed rezoning of the land in light of the advice from the DoPI. This culminated in each landowner submitting a preferred lot size outcome for their individual site rather than a project manager addressing the investigation area holistically to achieve a lot size mix with development outcomes.

During this time frame Council has reviewed and adopted the MUSS 2010, which includes the Louth Park IA, and the Maitland LEP 2011 has been gazetted and is now in force. The Maitland LEP 2011 includes a list of new zones and the inclusion of a lot size map to be considered in conjunction with these zones. At its meeting of 30 August 2011 Council resolved, amongst other things, to adopt the MUSS 2010 and that Louth Park IA can be identified as an R5 Large Lot Residential zone when reported back to Council. The R5 zone is consistent with the standard LEP template and zones used in the Maitland LEP 2011.

DRAFT LOCAL ENVIRONMENTAL PLAN

The objectives of the draft plan are:

- To enable urban development of the site consistent with the zone and lot size map;

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- To manage areas subject to shallow mine workings;
- To manage visually sensitive areas;
- To ensure that future residents have access to adequate local and regional infrastructure;
- To protect and manage areas of environmental sensitivity; and
- To require further detailed development plans to be prepared prior to the determination of development applications.

In response to these objectives, the following amendment is proposed to the Maitland LEP 2011:

To identify Louth Park Investigation Area as an *Urban Release Area*; to rezone land from zone *RU2 – Rural Landscape* to zone *R5 – Large Lot Residential*; and to provide a lot size map identifying the minimum lot sizes across the site.

The planning proposal, **Attachment 3**, outlines how these provisions would transfer into the Maitland LEP 2011.

Rezoning Proposal

The new planning proposal has been prepared to address those issues raised by the DoPI in the Gateway Determination dated 12 December 2010, and provides for the rezoning of land within the Louth Park IA to allow for the future development of an urban environment. To achieve this, the planning proposal refines the boundaries of the Louth Park IA and identifies this land as an urban release area (URA). Furthermore, the planning proposal proposes an R5 – Large Lot Residential zone over the subject lands consistent with Council's resolution of 30 August 2011 and consistent with the zoning provisions within the recently gazetted Maitland LEP 2011.

The planning proposal supports a minimum lot size map identifying a range of lot sizes for the release area. This is consistent with advice from the DoPI and requirements of the Maitland LEP2011 for urban land to be supported by a lot size map. The range of lot sizes have been proposed to manage constraints within the release area at the same time as providing for a lot yield from the land.

The rezoning of this land continues the timely progression of urban development in the central area of Maitland in close proximity to key centres. An urban zone for the Louth Park area is consistent with Council's policy direction in maintaining a 10–15 year supply of zoned urban land, limit urban sprawl through connection with existing areas with adequate support services and respond to population changes.

The investigation area is located on the south western side of Louth Park Road and is comprised of 16 lots having a total area of 156.4ha with frontages to the Louth Park Road and Dagworth Road. A locality plan is appended to this report as **Attachment 1**. The following table identifies the subject lands.

LOT	DP	AREA
65	825042	3.1

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64	825042	2.1
63	825042	2
62	825042	2
61	825042	2
1	221762	11.3
412	854995	11.3
411	854995	1.4
5	702764	1.2
521	593618	7.8
523	701969	0.8
19	1070710	42.1
520	563545	2
2000	1129126	20
2001	1129126	39.3
522	601199	8
16 lots		Total Area 156.4ha

The subject land is currently zoned RU2 - Rural Landscape and supports a mixture of land uses from cattle grazing to rural lifestyle allotments. The Louth Park investigation area comprises the visual and drainage catchment of land to the south west of the existing R5 – Large Lot Residential zone of Waterforde Estate, and can be considered an extension to and completion of the Waterforde Estate urban development pattern.

Land adjoining the investigation area to the north and west consists of the Wallis Creek flood plain zoned RU1 – Primary Production and supports associated agricultural activities. The Local Government Area of Cessnock adjoins the southern boundary which also forms part of the Bloomfield Colliery mining lease boundary. Land to the east has been developed for rural small holding allotments (Waterforde Estate), and has limited further development potential due to flooding, the proximity of the Council's existing waste depot buffer and Bloomfield Colliery mining buffer.

The Louth Park urban investigation area is on the south western side of Louth Park Rd. A previous subdivision creating rural lifestyle allotments of 2ha has been created on either side of Louth Park Rd. These allotments support the majority of vegetation for the area identified as the Lower Hunter Iron Bark/Spotted Gum community and include development constraints from past underground mining in the form of development restrictions on the titles of the land. The remainder of the investigation area is relatively cleared grazing land draining to the north east within a distinct visual catchment determined by a ridge line arcing from the south through to the north, west of Louth Park Rd.

CONSULTATION WITH LANDOWNERS

A series of meetings have been held between the landowners, consultants and Council officers to investigate the potential of the subject land to support a high lot yield as identified within correspondence from the DoPI. These investigations considered various lot size options across the site with the objective of managing site constraints whilst maximising lot yield.

Through a consensus of the landowners, it was determined that each landowner would submit their preferred lot size mix for their individual site for consideration in

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the preparation of the draft LEP amendment. These submissions were to include justification for the proposed lot size mix clearly identifying how site constraints would be managed. Additional supporting information, where necessary, would also need to be included with these submissions. A plan showing the location of individually owned lots within the investigation area is appended to this report as **Attachment 4**.

The submissions identifying the preferred lot sizes were assessed against the site studies prepared for the subject lands for the initial rezoning proposal under the 1993 Maitland LEP, together with information from Council's data base. Initial site investigations included:

- Geotechnical Assessments
- European and Aboriginal Cultural Heritage Impact Assessment
- Flora/Fauna Impact Assessment
- Drainage and Stormwater Management Assessment
- Acoustic Impact Assessment
- Site Contamination Assessment
- Air Quality Impact Assessment
- Visual Impact Assessment
- Bushfire Assessment
- Service Infrastructure provisions

Some additional supporting information was provided in a few cases, which further clarified the management of site constraints under a higher lot yield. The submissions identifying preferred lot sizes are appended to this report as **Attachment 5**.

Summary of Submissions and Planning Comments

Redman Group (Coeplan Consultants) – submission proposes a lot size mix of 1000m² and 2000m² across the site with the 2000m² lots located along the visually sensitive ridgeline. The submission also proposes an additional use for part of the site to be included in the LEP amendment. The proponent requests the inclusion of a *Retirement Village* as an additional use for the site through an *enabling clause* in the LEP. Currently the Maitland LEP 2011 prohibits *Retirement Villages or Seniors Living Development* in the R5 - Large Lot Residential zone. It is proposed the retirement village would consist of approximately 175 units in the northern section of the site being the northern tip of the investigation area.

The submission further discusses mitigating measure to address management of visual impact and amenity site constraints. These measures include landscaping of the ridgeline and lower flood affected lands and plantings along Louth Park Rd and within the future urban area to soften the aspect of future development. The proponent has submitted a Visual Impact Assessment to support the proposal.

Planning Comments – *Land associated with the Redman Group has flooding and visual constraints. It is considered the 1000m² and 2000m² minimum lot size mix does not provide for the necessary measures to manage the positioning of building envelopes to address visual impact. The submission was supported by a visual impact assessment which acknowledges the visual sensitivity of the locality and states.*

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"The eastern fringe of the floodplain is characterised by gradual vegetated slopes with fingers of residential development within the Rathluba and Waterforde estates that extend to the floodplain edge. The intrusiveness of the development on the eastern slopes is largely mitigated by the lower density of development and the forested ridgeline that forms the eastern horizon line. However, the abrupt boundary between the standard lot residential of Rathluba lagoon and the floodplain conflicts with the dominant rural character of the catchment. From a visual impact perspective this transition between rural and residential land use is managed far more successfully with the rural residential Waterforde Estate as large setbacks and screen planting have been established between the residential dwellings and the rural holdings."

The visual impact assessment concludes that the subject land can be developed for urban purposes subject to the development of larger lots and strategic landscaping along the floodplain interface and between allotments and dwellings. It is considered a mix of 1500m² and 3000m² allotments could be development on the subject land whilst managing visual impacts and amenity of the locality through strategic landscaping of the site. These landscaping details would form part of the formation of a DCP for the investigation area.

The inclusion of and additional permitted use for the site, a Retirement Village, through an enabling clause is not supported in this instance. The permissibility of Seniors Living or a Retirement Village is governed by SEPP Housing for Seniors or People with a Disability. The SEPP prohibits the development of seniors housing on land zone R5 Large Lot Residential. Council would not be able to make a provision in the Maitland LEP 2011 that is contrary to a provision in a SEPP as the provisions of SEPP prevail over an LEP.

Waterforde Pty Ltd – submission addresses the whole investigation area and recommends a lot size mix of 1500m², 3000m² & 4000m² to manage constraints across the investigation area, with a preferred minimum lot size of 1500m² for their land.

The lot size mix is based on complying with the objectives of the R5 Large Lot Residential zone and managing site constraints whilst considering existing development parameters associated with building setbacks, APZ's and buffers to riparian areas. Considerable detail has been provided for stormwater management from the site. The calculations identify capacity limitations within the existing stormwater management facilities further down the catchment on adjoining land and therefore recommend a potential lot yield from the investigation area.

Planning Comments – *The proposed lot size mix across the investigation identified in this submission generally appears to address the major issues outline in this report. Careful consideration has been given not only to the landowners site and the investigation area as a whole, but to land outside the investigation area that may potentially be impacted on by future urban development. The minimum lot size of 1500m² identified for the owners land is considered appropriate.*

Mr and Mrs Tulip (Hill Top Planners Consultants) – submission requests a preferred minimum lot size mix of 1500m² and 2000m² over their 11.3ha parcel of land. The consultant believes that this lot size mix provides for the management of bushfire constraints applicable to the site.

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Planning Comments – The subject land is divided by the bounding ridgeline of the investigation area. Land on the southern side of this ridgeline adjoins the Cessnock LGA with significant established vegetation abutting the southern boundary. Investigations into bushfire management for the site identify the need for a 40m APZ along the southern boundary. To provide the necessary front side and rear building setbacks and a suitable building envelope outside the 40m APZ, a minimum lot size of 4000m² would be needed to achieve the development control parameters applied by Council. This minimum lot size would also permit the use of onsite sewage management systems reducing the need to extend sewer infrastructure over the ridgeline incurring significant cost to the landowner to develop this section of land.

Land to the north of the ridgeline, being part of the same lot, would be suitable for lot sizes with a minimum of 2000m². This area supports scattered EEC and past underground mine workings at varying depths of cover. Lots of 2000m² would enable the positioning of building envelopes to consider vegetation retention and avoid shallow mine workings.

Valhalla Investments Pty Ltd (ADW Johnson Consultants) –submission proposes a lot mix of 800m² and 2000m² for their specific site. The submission requests that the relatively unconstrained land consist of the small lot sizes to maximise yield from the land. The submission acknowledges the constraints of vegetation, mine subsidence, visual amenity and the objectives of the R5 – Large Lot Residential zone and proposes a 2000m² minimum lot size for these areas.

Planning Comments – The land associated with the Valhalla Investments Holding have the least amount of constraints. This holding is bound by the north/south enclosing ridgeline to the west and therefore lots adjoining this ridgeline would need to be large enough to suitably accommodate building envelopes below the ridgeline to protect this visually sensitive area. Investigations with regard to lot sizes for this area identify a minimum of 4000m² to achieve suitable depth of lots to position a building envelope down slope from the ridge and comply with other setback parameters of the R5 Large Lot zone.

Land below this area within the Valhalla Investments Holding could support lots of a smaller size. In determining the minimum lot size for the remainder of this land the objectives of the R5 Large Lot Residential zone must be considered.

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.*

The amenity of the area is characterised by a rural small holding land use pattern surrounded by larger rural allotments and agricultural activities. To manage stormwater, riparian areas and the amenity of the locality it is considered a minimum lot size of 1500m² could be utilised for this area. Lots of 1500m² could achieve, with careful design planning, suitable building envelopes to meet setback parameters for the R5 Large Lot Residential zone. The DCP for the Louth Park release area would need to be supported by a robust Stormwater Management Strategy clearly demonstrating how future development of lots of 1500m² would manage stormwater from the site consistent with Council's adopted policies.

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- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*

It is not considered the use of the R5 Large Lot Residential zone or 1500m² minimum lot size will hinder future urban development in the locality as the land is located at the southern extremity of the Maitland LGA surrounded by flood affected land. Land within the Cessnock LGA is not tagged for future urban development in any settlement strategies. This land is heavily vegetated, flood affected and potentially affected by future mining activities in the area.

- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities;*

The proposed zone and lot yield for the site does not unreasonably increase demand for public services or facilities. The Louth Park IA has been included in calculations for the upgrading of sewer and water infrastructure for the area. These calculations identify a lot yield of approximately 400 lots from the Investigation area.

Council's Open Space and Recreation Plan does not identify the provision of open space and community facilities in this release area given its proximity to these facilities in the wider locality and the potential lot yield from the site.

- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

It is considered the proposed lot size mix and resulting lot yield will provide for suitable development of the area and not contribute to potential conflicts with adjoining zones and land uses.

Mr and Mrs Sexton – submission requests a preferred minimum lot size of 4000m² over their 3.13 ha parcel of land potentially enabling a subdivision with a lot yield of up to six (6) lots. The proposed minimum lot size would include larger lots to accommodate the riparian area at the rear of the property.

Planning Comments - *The location, size, drainage and vegetation constraints of this land, restricts the ability to achieve a high lot yield from the area. The owners request for a lot size minimum of 4000m² is considered appropriate to suitably manage site constraints whilst achieving some development potential from the site.*

Mr and Mrs Connell – submission requests a preferred minimum lot size of 4000m² which would allow for potentially up to four (4) lots to be subdivided from their 2ha parcel of land.

Planning Comments – *The location, size, drainage and shallow mine working constraints of this land, and immediately adjoining land making up the five (5) small acreage allotments (2ha), restricts the ability to achieve a high lot yield from the area. The owners request for a lot size minimum of 4000m² is considered appropriate to suitably manage site constraints whilst achieving some development potential from the site.*

INVESTIGATIONS/ASSESSMENT

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The introduction of the standard LEP template provided flexibility in the recently gazetted Maitland LEP 2011 to identify a wide range of minimum lot sizes within residential zones. As opposed to the limitations associated with the 1(c) Rural Small Holdings (4000m²) and 1(d) Rural Residential (2000m²) zones of the 1993 Maitland LEP, the 2011 Maitland LEP provides flexibility through a series of lot size maps which can accommodate any lot size mix, consistent with the objectives of the zone.

The R5 Large Lot Residential zone, proposed for the Louth Park IA, has been applied throughout the LGA where 1(c) and 1(d) zones have occurred. The objectives of the R5 Large Lot Residential zone as described under the Maitland LEP 2011 include:

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality;
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future;
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities;
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

With these objectives in mind, the site issues raised in the initial assessment report and planning proposal to Council (14 September 2010) remain relevant when considering minimum lot sizes for the investigation area. The main issues addressed include:

- Flooding
- Shallow mine workings
- Visual impact/amenity
- Stormwater management
- Biodiversity impact
- Service infrastructure
- Bushfire Management

It was originally proposed to manage these constraints through the lot sizes of the 1(c) & 1(d) zones of the Maitland LEP 1993 being 4000m² and 2000m² respectively. These zones were not flexible enough to allow variations to the lot sizes where it was demonstrated a different lot size could be accommodated. Whilst the 5000m² & 2000m² lot sizes were appropriate in some locations, lot sizes between these or lower than the 2000m² could not be considered under the 1993 Maitland LEP.

- Flooding – it is not proposed to extend the R5 Large Lot Residential zone or associated lots into the identified flood area. The flood area is determined by the 1% AEP Flood Level.
- Shallow Mine Workings - The Louth Park Investigation Area is not within a Proclaimed Mine Subsidence District. However, discussions with the MSB has identified past underground mine workings located within the Louth Park investigation area.

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Previous subdivisions on Louth Park Rd, within the Investigation Area and adjoining land, have included covenants on land titles restricting development of dwellings and structures to specific areas and structures having construction design restrictions.

The MSB have supplied mapping showing the extent and depth of underground mine workings of the Rathluba Seam underlying the Louth Park investigation area. This map corresponds with the title restrictions identified on the subdivision plans creating Lots 61, 62, 63 & 64 DP 825042. Lot 65 DP 825042 had a "restriction as to user" over the title, however this has been lifted by Maitland Council on request by the land owner which included additional supporting information identifying an inconsistency in the title restriction and advice from the MSB. The MSB have provided further advice recommending that no surface development occur over mine workings with a depth of cover between 0m and 20m. Areas with a depth of cover of between 20m and 50m require site specific geotechnical investigations confirming suitable locations for dwelling envelopes and identifying high risk areas. Areas above 50m depth of cover may require surface improvements to be constructed to a particular standard.

The underground mine workings extend further afield in the Louth Park investigation area to include Lot 2001 DP 1129126, Lot 412 and Lot 411 DP 854995, and Lot 1 DP 221762. These parcels are to the south and west of the existing restricted land and form the southern boundary of the Louth Park investigation area being dominated by a significant east/west ridge. Given the visual prominence of this area, extensive vegetation and the extent of underground mine workings, it is envisaged that this locality would not support a dense land use pattern, however larger lots, 4000m², could be considered allowing strategic placement of building envelopes whilst providing a lot yield from the land.

Visual Impact/Amenity – The visual catchment of the Louth Park urban investigation area is dominated by undulating slopes draining to the northeast, vegetation to the east and south and rural small holding urban development to the north and east. A ridgeline running in a general north/south orientation forms a logical boundary to the west. The visual/amenity management objectives of the Louth Park investigation area include:

- Protection of prominent ridgelines from development protruding into the skyline;
- Maintaining a development density pattern consistent with adjoining urban development;
- Protection of major view corridors associated with the Wallis Creek flood plain catchment and associated rural land uses;
- Utilise existing vegetation to screen and break up visual impact of urban development; and
- Provide an unobtrusive urban development pattern when viewed from land to the west, north and south.

Investigations into developable lot sizes surrounding the ridgeline have identified the need for deeper lots to accommodate building envelopes *down slope* from the ridge crest. A perimeter road set *down slope* from the crest

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would provide for development opportunities either side of the road with lots extending up to the crest. Development guidelines addressed in a DCP would provide specific distance details from the crest to protect the visual sensitivity of the location. It is therefore proposed to nominate a minimum lot size of 4000m² for land surrounding the ridgeline.

- Stormwater Management – The initial preliminary stormwater studies undertaken for the investigation area identify issues surrounding elevated salinity levels and the potential for acid sulphate soils on site. Opportunities exist on site, within the existing riparian corridors, to manage the quality and quantity of stormwater generated by the future urban fabric.

Capacity limitations have been identified in the existing stormwater management facilities occurring further down the catchment on adjoining land. A detailed Stormwater Management Plan incorporating an assessment of appropriate stormwater controls and WSUD techniques to be applied across the development would need to address this limited capacity issue and provide a water balance for the site. This detail would be needed to support the development of the DCP for the locality.

- Biodiversity Impact – The majority of vegetation on site is located in the southern area of the investigation area. This vegetation is identified as an Endangered Ecological Community (EEC) being the Lower Hunter Spotted Gum – Ironbark Forest (LHSGIF). This community is highly modified with minimal understorey and isolated pockets of mature trees. The removal of vegetation is likely to have an adverse effect on the EEC. Threatened fauna species likely to be adversely affected as a result of the proposal include:

- Grey Crowned Babbler
- Powerful Owl
- Brown Tree Creeper
- Painted Snipe
- Grey Headed Flying Fox
- East Coast Free Tail Bat
- Little Bent Wing Bat
- Eastern Bent Wing Bat

The degree of adverse effect ranges from a likelihood of displacement from the site to loss of foraging and breeding habitat. Consultation with the Department of Environment, Climate Change and Water (DECCW) has been undertaken with regard to the likely adverse effects on threatened/vulnerable species and endangered ecological communities. DECCW supports the rezoning in principle as it is consistent with the objectives of the endorsed MUSS 2008, however recommends that Council be satisfied that:

The proposed LEP is not likely to result in impacts on areas of native vegetation, with special reference to threatened or regionally significant flora and fauna species, populations and ecological communities, and where impacts are proposed on areas of biodiversity value, demonstration on how to meet the improve or maintain threshold.

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Whilst it is preferable to deal with these matters at a rezoning stage, DECCW considers that "outstanding biodiversity offsetting matters could be dealt with post gazettal of the LEP through subsequent development applications under Part 4 of the EP&A Act." This would be through Section 79B of the EPA Act.

The area supporting the majority of vegetation also supports the shallow underground mine workings. The provision of large lots in these localities would provide opportunities to position building envelopes away from potentially unstable land and enable the maintenance of the EEC. A mixture of lot sizes ranging from 2000m² to 4000m² would provide opportunities for the management of these site constraints whilst providing a lot yield from the area.

- **Service Infrastructure** – The subject lands can be serviced for sewer and water through an extension to existing infrastructure in the adjoining R5 Large Lot residential estate. Discussions with Hunter Water Corp (HWC) has confirmed that they have allowed for urban growth at Louth Park in their Hunter Water Morpeth Wastewater Transportation System Servicing Strategy. This growth includes land identified as Category 1 residential Investigation in the MUSS as well as further subdivision of some larger lots in the R5 Large Lot Residential estate (Waterforde). The total additional dwellings planned for is around 430. HWC has a staged upgrade program to cater for these additional dwellings, with Louth Park 1 WWPS and rising main scheduled for completion in 2016/2017 financial year. Based on the growth projection, it is expected that the timing of this upgrade will be sufficient to meet development demands in the area.
- **Bushfire Management** - The southern section of the Louth Park Investigation Area supports an established Lower Hunter Iron Bark/Spotted Gum Vegetation Community. This community is sparse in some areas however it is considered to have continuous connectivity within the investigation area and to the wider/larger vegetation assemblage to the south being Cessnock LGA. The vegetation is mapped as Category 2 & 3 on Council's bushfire prone land maps. The Category 2 & 3 area takes in approximately 40% of the investigation area. Onsite ground truthing and assessment of current aerial photos identifies cleared areas within the blanketed bushfire prone area. Further assessment of this would be required at the DCP and DA stage to specifically identify appropriate sites within a proposed subdivision.

The listing of the Lower Hunter Iron Bark/Spotted Gum vegetation community as an EEC has wider implications with regard to identifying a land use pattern and associated APZ's for this area. A 40m APZ has been identified along the southern boundary given the steepness of the land. Any lot design for this area would need to accommodate this 40m APZ, front boundary setback of 20m and a suitable building envelope. Therefore it is considered this locality would have a minimum lot size of 4000m² to accommodate these requirements.

CONSISTENCY WITH STATE AND REGIONAL STRATEGIES

Louth Park IA is not identified within the Lower Hunter Regional Strategy as a future urban area, however sites such as this may be developed if they are consistent with

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the principles of the Regional Strategy and if they are identified in an endorsed local strategy. It is considered that the Louth Park IA complies with the Regional Strategy sustainability criteria, including availability of infrastructure, accessibility, low hazards and land use conflicts, minimal effect on natural resources and the potential to protect and enhance biodiversity and heritage. The DoPI have endorsed the MUSS 2008 which identifies Louth Park as an urban investigation area. The 2010 MUSS maintains the category of Louth Park as an urban investigation area with the planning proposal recommending a residential zone, R5 Large Lot Residential, for the subject lands.

The detail of the consistency with these strategies is outlined in Section B of the planning proposal. Minor inconsistencies arise from the rezoning of rural land to an urban zone, however these are fully justified as the Maitland Urban Settlement Strategy is an endorsed local strategy.

Next Steps

If endorsed by Council, the planning proposal will be submitted to the Department of Planning and Infrastructure with a request for gateway approval to proceed with the amendment to the Maitland LEP 2011. The gateway determination will either be (i) exhibit the planning proposal, with or without change, or (ii) to refuse the planning proposal. A positive gateway determination will also make direction about the consultation required for the LEP and a timeframe by which the LEP is to be completed.

The planning proposal would then be exhibited in accordance with the directions of the gateway determination and the requirements of Section 57 of the Environmental Planning and Assessment Act 1979. Formal submissions to the planning proposal will be invited and accepted during the exhibition period. A further report that considers the submissions and any proposed changes to the planning proposal will then be presented to Council.

CONCLUSION

It is considered the flexibility with the Maitland LEP 2011 and associated minimum lot size mapping provides the necessary mechanism for Council to address a higher lot yield from the site whilst managing identified site issues. The lot size mix proposed in the planning proposal and draft lot size map are consistent with the objectives of the R5 - Large Lot Residential zone and maintain a balance between the existing amenity of Waterforde Estate and the future urban development of the investigation area.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

LOUTH PARK URBAN RELEASE AREA - LEP AMENDMENT (Cont.)

The process for preparing and considering amendments to LEPs is outline in Part 3, Division 4 of the EP&A Act 1979. This report recommends a course of action that is in accordance with this Act.

There are no statutory implications under the Local Government Act 1993 with this matter.



Scale 1 : 000
Printing Date: January 2012

NORTH

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This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland City Council

**Attachment 1
Locality Plan
Investigation
Area**

ORDINARY MEETING**14 SEPTEMBER 2010****10.1 AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA**

File No: RZ 06-008
Attachments: 1. Locality Plan
2. Planning Proposal
Responsible Officer: Leanne Harris - Group Manager Service Planning and Regulation
Monica Gibson - Manager City Strategy
Author: Mark Roser - Strategic Town Planner

EXECUTIVE SUMMARY

A draft local environmental plan has been prepared for the Louth Park urban investigation area in accordance with Council's resolution on 13 February 2007, directions from the Department of Planning and other statutory requirements. The purpose of this report is to inform Council of the results of the environmental assessment and consultation involved in preparing the draft plan and to propose that the draft plan be submitted to the Department of Planning for certification for public exhibition.

A review has been undertaken of the subject land considering site characteristics, constraints and suitability for urban land uses. Preliminary environmental investigations were submitted with the proposal, and in accordance with DoP advice and guidelines, additional detailed studies have been submitted in support of the preparation of the draft LEP. Development constraints addressed include:

- *Shallow mine workings and unstable land*
- *Flora and fauna*
- *Visual impact*
- *Lot density*
- *Servicing infrastructure*
- *Flooding*
- *Surrounding land use conflicts*

The Louth Park urban investigation area has been identified in the Maitland Urban Settlement Strategy in various forms since 2004. The MUSS 2008 identifies Louth Park as an urban investigation area. The Department of Planning have endorsed the MUSS 2008 which included additional land to be investigated for potential urban development. Minor variations and inconsistencies with state planning policies and directions are all fully justified as a result of this compliance with adopted and endorsed strategies.

A planning proposal enclosed with this report explains the intent of the draft plan and has been prepared to convert Council's resolution into the reformed planning system. Without this change the draft plan would need to be completed before 1 January 2011 or would lapse. In total, the draft plan for Louth Park release area aims to provide up to 300 additional dwellings, supported by local plans to deliver utility and key community infrastructure in sequence with new development. A development control plan will also be prepared to support the neighbourhood planning principles for the Louth Park urban release area.

OFFICER'S RECOMMENDATION

- 1 -

ORDINARY MEETING

14 SEPTEMBER 2010

AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)

THAT

1. The draft local environmental plan for the Louth Park Urban Investigation Area be endorsed as the Louth Park Urban Release Area rezoning the land to Zone 1(d) Rural Residential and Zone 1(c) Rural Small Holding, as detailed in the attached planning proposal.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the planning proposal for the Louth Park urban release area be submitted to the Department of Planning for a Gateway Determination.
3. A further report be presented to Council following the public consultation period, to demonstrate compliance with the gateway determination and to provide details of any submissions received during that process.

REPORT

The purpose of this report is to:

- Present a draft local environmental plan for Louth Park urban investigation area;
- Detail the consultation and investigations undertaken to prepare the draft plan;
- Explain and justify the intended effects of the draft plan; and
- Outline the next steps for the draft plan.

This report should be read in conjunction with the Planning Proposal included as **Attachment 2** to this report.

BACKGROUND

An Urban Investigation Area has been identified for the Louth Park locality in the Maitland Urban Settlement Strategy since 2004. The extent of this investigation area, its sequencing for rezoning and development land use outcomes has been modified with each review of the MUSS, as detailed site specific and land use demand information became available. On 13 February 2007 Council resolved to prepare a draft amendment to the Maitland LEP 1993 for land at Louth Park. On 21 November 2007 the Department of Planning advised that investigations to prepare a draft LEP for Louth Park investigation area could proceed, and that land fronting Louth Park Rd between the investigation area and Waterforde Estate should be included in these investigations.

Planning system reforms

Since Council's resolution to prepare the draft plan, the NSW planning system has undergone various reforms. Most significant to this draft plan is the reform of the plan-making system and the repeal and replacement of Part 3 of the Environmental Planning and Assessment Act 1979. As this draft plan was commenced under the previous plan-making provisions it is protected by savings and transitional provisions until 1 January 2011. However, it is the intention of preparing this planning proposal to transfer the draft plan into the new plan-making provisions. This is consistent with the Department of Planning's Planning Circular PS 10-002.

- 2 -

ORDINARY MEETING**14 SEPTEMBER 2010**

AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)

DRAFT LOCAL ENVIRONMENTAL PLAN

The objectives of the draft plan are:

- To enable urban development of up to 300 dwellings,
- To protect areas of ecological significance for threatened flora and fauna species,
- To manage areas subject to shallow mine workings and potentially unstable land;
- To ensure that future residents have access to adequate local and regional infrastructure, and
- To require further detailed development plans to be prepared prior to the determination of development applications.

In response to these objectives, the following amendment is proposed to the Maitland Local Environmental Plan 1993:

To identify the Louth Park investigation area as an urban release area and rezone land from Zone 1(b) Secondary Rural Land to Zone 1(d) Rural Residential and Zone 1(c) Rural Small Holding - see appendix 2 of planning proposal.

The planning proposal (**Attachment 2**) outlines how these provisions would transfer into the draft Maitland LEP 2011.

Rezoning Proposal

The planning proposal has been prepared to allow for the rezoning of land within the Louth Park urban investigation area to provide for urban land use activities, which has previously been identified in the MUSS. This amendment will enable the rezoning of land within the Louth Park investigation area under the Maitland LEP 1993, as previously endorsed by the DoP. Although Council is currently preparing the Maitland LEP 2011, rezoning of this land continues the timely progression of urban development in the central area of Maitland in close proximity to key centres. An urban zone for the Louth Park area is consistent with Council's policy direction in maintaining a 10–15 year supply of zoned urban land, limit urban sprawl through connection with existing areas with adequate support services and respond to population changes.

The investigation area is located on either side of Louth Park Road and is comprised of 27 lots having a total area of 176.5ha with frontages to the Louth Park Road and Dagworth Road. A locality plan is appended to this report as **Attachment 1**. The following table identifies the subject lands.

LOT	DP	AREA Ha
252	620745	1.9
251	620745	1.9
21	570766	2
22	570766	2
23	570766	2
253	813454	1.9

ORDINARY MEETING

14 SEPTEMBER 2010

AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)

LOT	DP	AREA Ha
254	813454	2.2
255	813454	2.4
65	825042	3.1
64	825042	2.1
63	825042	2
62	825042	2
61	825042	2
1	221762	11.3
412	854995	11.3
411	854995	1.4
5	702764	1.2
521	593618	7.8
523	701969	0.8
19	1070710	42.1
520	563545	2
2000	1129126	20
2001	1129126	39.3
256	813454	2.7
257	813454	2.9
111	804336	1.6
113	804336	4.1
27 lots		TOTAL AREA 176.5ha

The subject land is currently zoned 1(b) Secondary Rural and supports a mixture of landuses from cattle grazing to rural lifestyle allotments. The Louth Park investigation area comprises the visual and drainage catchment of land to the south west of the existing 1(c) Rural Small Holding zone of Waterforde Estate, and can be considered an extension to and completion of the Waterforde Estate urban development pattern.

Land adjoining the investigation area to the north and west consists of the Wallis Creek flood plain, 1(a) Prime Rural zoned land and associated agricultural activities. The Local Government Area of Cessnock adjoins the southern boundary which also forms part of the Bloomfield Colliery mining lease boundary.

Land to the east has been developed for rural small holding allotments (Waterforde Estate), and has limited further development potential due to flooding, the proximity of the Council's existing waste depot buffer and Bloomfield Colliery mining buffer.

The majority of the Louth Park urban investigation area is on the western side of Louth Park Rd. A previous subdivision creating rural lifestyle allotments of 2ha has been created on either side of Louth Park Rd, central in the investigation area. These allotments support the majority of vegetation for the area identified as the Lower Hunter Iron Bark/Spotted Gum community and include development constraints from past underground mining in the form of development restrictions on the titles of the land. The remainder of the investigation area is relatively cleared grazing land draining to the north east within a distinct visual catchment determined by a ridge line arcing from the south through to the north, west of Louth Park Rd.

Environmental Studies

ORDINARY MEETING**14 SEPTEMBER 2010****AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)**

A suite of environmental studies were undertaken to inform the preparation of the draft plan. These studies were prepared in accordance with Council's adopted protocol for Local Environmental Studies, and funded by the proponents for the rezoning.

The matters that were specifically investigated for the Louth Park investigation area include:

- Biodiversity and impact on threatened flora and fauna
- Air quality, in relation to surrounding mining land uses
- Site contamination from past agricultural and rural uses and salinity
- Acoustic assessment, especially from motor vehicles and mining activities
- Drainage and stormwater management
- Bushfire hazard
- Visual impact
- European and aboriginal cultural heritage
- Geotechnical assessment relating to past underground mining in the locality

In the majority, the constraints to urban development presented by these matters can be addressed through appropriate zones to regulate lot size and density, through development controls to be contained in a development control plan for the Louth Park release area, and through assessment of applications for subdivision and development. Infrastructure servicing and the suitability of new residential development will also be assessed during the application of Council's adopted Section 94 plan and potential regional infrastructure.

The extension of water/sewer infrastructure to land to the west of the investigation area, outside the identified immediate catchment, has limitations and considerable infrastructure design/construction costs. For this reason, together with the visual impact of urban development to the west of the encircling ridgeline, it is recommended that only that land contained within the boundaries of the Louth Park investigation area be considered for future urban development at this stage.

To address limitations and constraints of the site, a mixture of 1(c) Rural Small Holdings and 1(d) Rural Residential zones and maintaining the status quo in selected areas is proposed. The lot density of the resulting urban environment would be consistent with the adjoining land use pattern of Waterforde Estate and would provide a transition from an urban land use pattern to a rural environment.

PUBLIC AUTHORITY CONSULTATION

The following public authorities have been consulted regarding the preparation of the draft plan:

- (former) Department of Primary Industries
- NSW Roads and Traffic Authority
- Mindaribba Local Aboriginal Land Council
- (former) Department of Water and Energy
- NSW Rural Fire Service
- (former) Department of Environment, Climate Change
- Mine Subsidence Board
- Energy Australia

ORDINARY MEETING**14 SEPTEMBER 2010****AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)****• Hunter Water Corporation**

Copies of the correspondence from those authorities that have responded are contained in Appendix 7 of the planning proposal.

No objections to the draft plan were raised by these authorities. The comments raised by certain public authorities in relation to infrastructure, development controls and land uses are addressed by the provisions of Part 12 of the Maitland LEP 1993 (satisfactory arrangements, DCP) and by the endorsement of the Maitland Urban Settlement Strategy.

CONSISTENCY WITH STATE AND LOCAL STRATEGIES, POLICIES AND DIRECTIONS

Louth Park is not identified within the Lower Hunter Regional Strategy as a future urban area, however sites such as this may be developed if they are consistent with the principles of the Regional Strategy and if they are identified in an endorsed local strategy. It is considered that the Louth Park Investigation Area complies with the Regional Strategy sustainability criteria, including availability of infrastructure, accessibility, low hazards and land use conflicts, minimal effect on natural resources and the potential to protect and enhance biodiversity and heritage. The DoP have endorsed the MUSS 2008 which identifies Louth Park as an urban release area.

The detail of the consistency with these strategies is outlined in Section B of the planning proposal. Minor inconsistencies arise from the rezoning of rural land to an urban zone, however these are fully justified as the Maitland Urban Settlement Strategy is an endorsed local strategy. There is also a minor inconsistency that arises as Council has not yet adopted acid sulphate soil provisions into the Maitland LEP. However this will be undertaken with the Maitland LEP 2011 and the impact on the Louth Park investigation area is minimal and can be mitigated as the risk of acid sulphate soils is low.

Next Steps

If endorsed by Council, the planning proposal will be submitted to the Department of Planning with a request for gateway approval to proceed with the amendment to the Maitland LEP 1993. The gateway determination will either be (i) exhibit the planning proposal, with or without change, or (ii) to refuse the planning proposal. A positive gateway determination will also make direction about the consultation required for the LEP and a timeframe by which the LEP is to be completed.

The planning proposal would then be exhibited in accordance with the directions of the gateway determination and the requirements of Section 57 of the Environmental Planning and Assessment Act 1979. Formal submissions to the planning proposal will be invited and accepted during the exhibition period.

A further report that considers the submissions and any proposed changes to the planning proposal will then be presented to Council.

CONCLUSION

ORDINARY MEETING

14 SEPTEMBER 2010

AMENDMENT TO MAITLAND LEP 1993 - LOUTH PARK URBAN INVESTIGATION AREA (Cont.)

Council has previously supported an LEP amendment for the proposed rezoning of the subject land for urban land uses. However, a fresh resolution is required to ensure the rezoning can proceed consistent with recent changes in the plan-making process, and further, to ensure that a delay in timing does not result in the draft LEP ceasing to have any legal status.

The preparation and progression of the draft LEP amendment as a planning proposal and the requirement for a gateway determination will ensure the continued rezoning and development of land in the Maitland Local Government Area to meet current and future housing demand to support a growing population.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

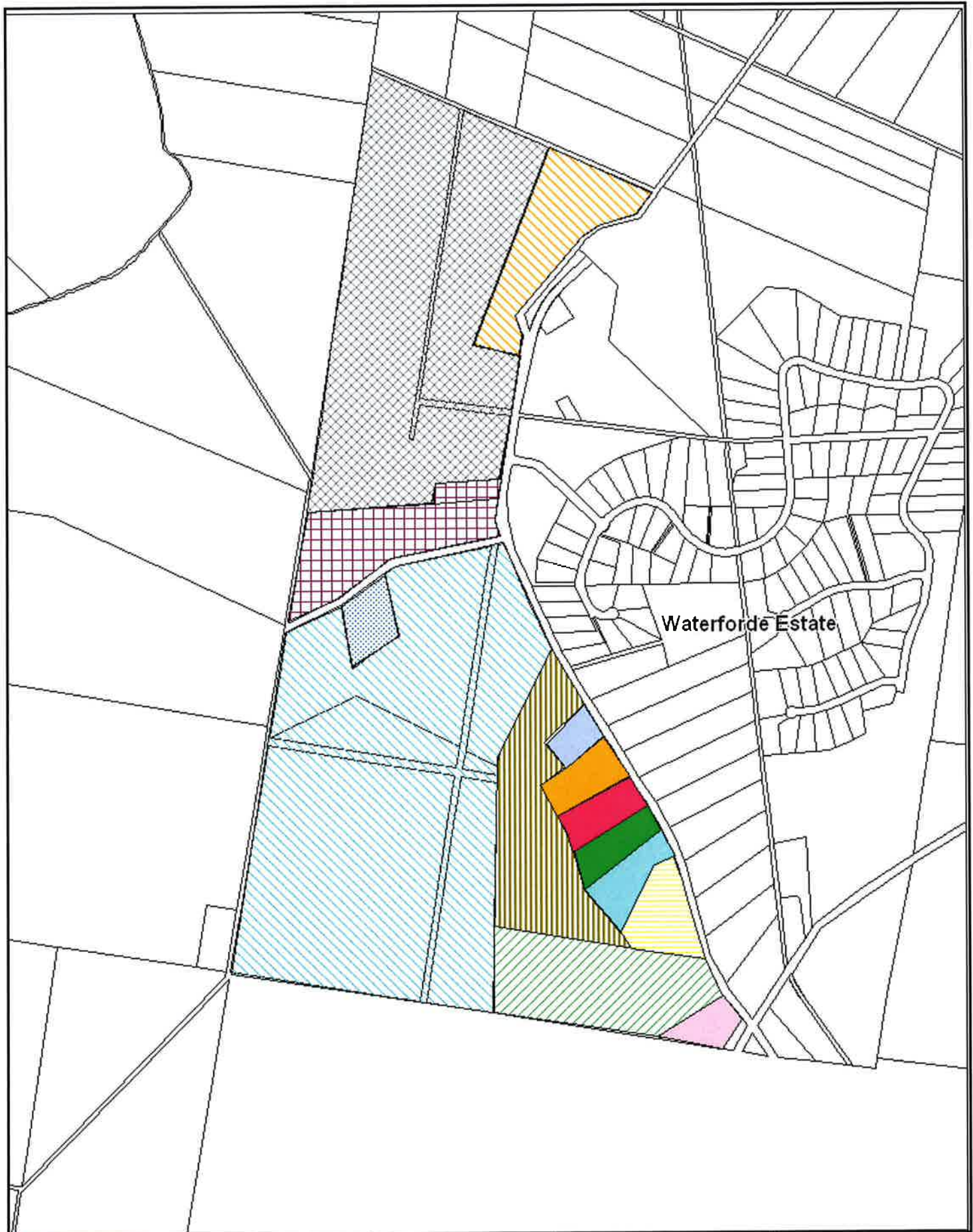
This matter has no specific policy implications for Council.

STATUTORY IMPLICATIONS

The process for preparing and considering amendments to LEPs is outlined in Part 3, Division 4 of the Environmental Planning and Assessment Act 1979. This report recommends a course of action that is in accordance with this Act.

There are no statutory implications under the Local Government Act 1993 with this matter.





Scale 1 : 000
Printing Date: January 2012



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This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland City Council

Attachment 4 Plan Showing Individual Landowners

COPY

CoePlan Consultants

Pty Ltd (ABN 64 185 167 234)

Property Development Consultants

P.O. Box 73 Newcastle NSW 2300

Telephone: (02) 4953 3738 or 0425 266610

Facsimile: (02) 4953 7434

e-mail: coeplan@coeplan.com

30 March 2012

Our Ref: 1504-001
Your Ref: RZ08008 (830794)
103/77/4The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: David Evans, Bernie Mortomore and Mark Rosser

Dear Sir,

Re: Louth Park Urban Release Area - Redman Group

Further to our submission of 9 February 2012, we wish to provide as a supplement to this earlier submission 3 separate diagrams showing potential development opportunities incorporating Landscape Planting and Building Envelope controls that are considered applicable for Lots of 900m², 1000m², 1500m² and 2000m² in the Louth Park Release Area within a Residential R5 Zone.

The diagrams incorporate Building Envelopes and Landscaped Planting Areas and include minimum set back requirements from the front, side and rear boundaries. Implementing such enables significant planting areas to be provided within the lots and also ensures sufficient separation and privacy is created between adjoining residential buildings.

The designated building envelopes are provided for all lot sizes. Note the size of the building envelopes allow for a great degree of flexibility of house design whilst still allowing for large open landscape spaces on each lot.

Having regard for normal house sizes it would be expected that new dwellings would only occupy a portion of the building envelope as they vary in size from 400m² up to 835m² dependant on the lot size. The following Table details the areas for the different lot sizes.

Detail	900m2	1,000m2	1,500m2	2,000m2
Lot Width	20m	25m	30-35m	40-45m
Setback from Road	6m	6m	6m	6m
Setback from Side Boundary	2m	2.5m	2.5m	3.5-4.5m
Setback from Rear Boundary	14m	14m	15-21.5m	15.5-20m
Rear Landscape Planting Strip	4m wide	4m wide	5m wide	5-6m
Allow Minimum Trees/Shrubs Per Lot	5-6 trees/shrubs	7 trees/shrubs	8-10 trees/shrubs	11-13 trees/shrubs
Building Envelope	400m2	400m2	560-660m2	765-835m2
Front Landscape Planting Area	30m2	54m2	30-54m2	115-150m2
Street Trees Allow	2 per Lot	3 per Lot	3-4 per Lot	4-5 per Lot

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There is an opportunity to reduce the area of Building Envelopes thereby allowing for the side setbacks to be increased and providing for a greater landscape opportunity between adjoining houses.

Generally these various options provide examples of how developments can be controlled for different lot sizes within the Louth Park Release Area. This can assist in identifying how the dwellings can fit within the aims and objectives of the R5 Zone that promotes residential housing with a rural setting. The curtilage area for each lot is sufficient to provide for an open landscape amenity and avoid the closed environment of standard houses with the minimal side setbacks by adopting set backs that vary between 2m to 4.5m which enable the open space and rural feeling to be achieved.

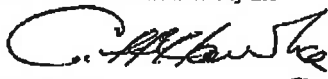
Building heights that do not exceed 2 levels could also be incorporated in the Design Control Guidelines to be adopted for this release area.

A copy of our previous submission is attached to be read in conjunction with this supplementary submission.

I trust this will assist in understanding the ways we believe the development of the Redman Group lands can be controlled.

Yours faithfully

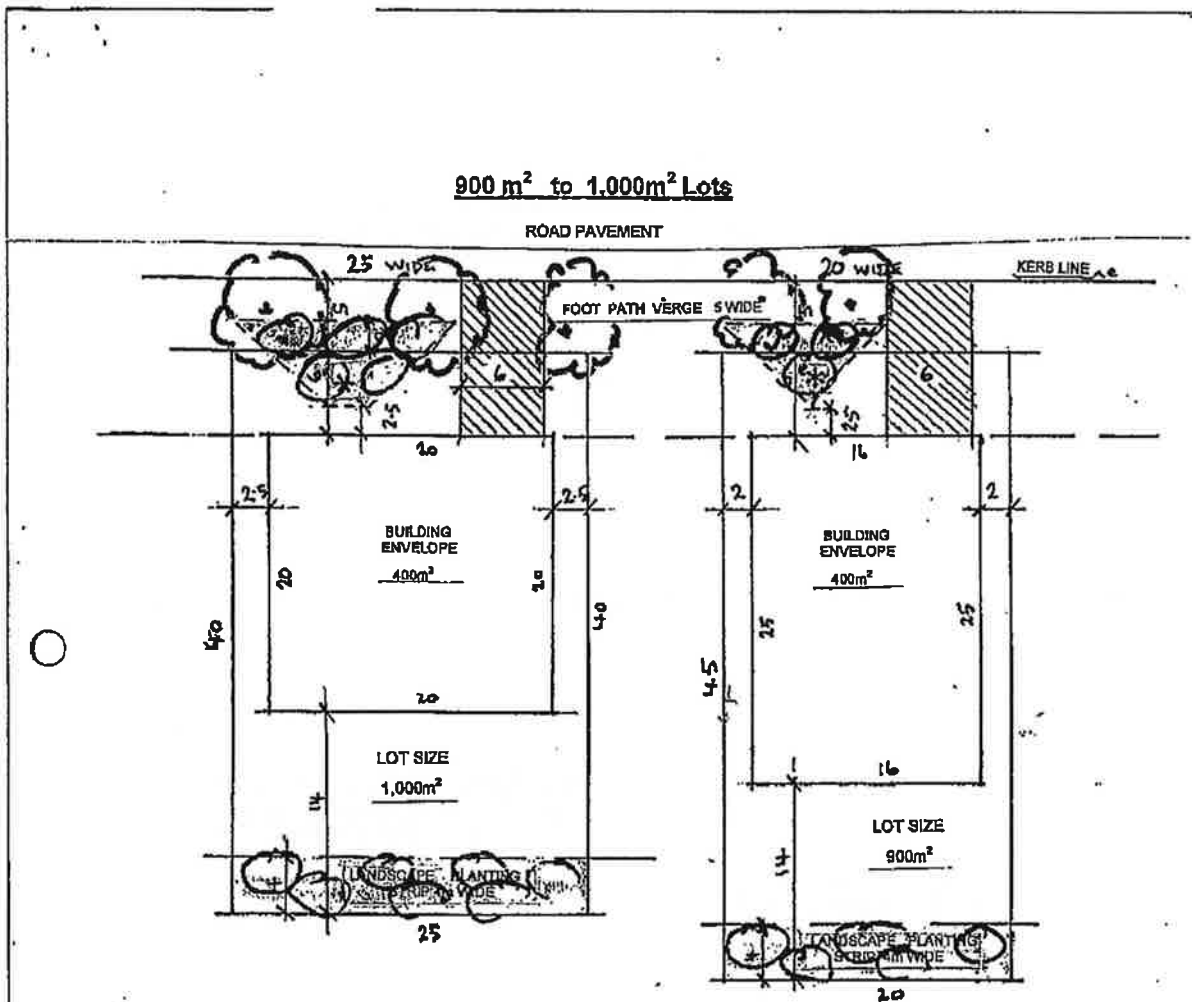
CoePlan Consultants Pty Ltd



Geoff Hawke
Principal

Direct e-mail: geoff@coeplan.com

Attachments

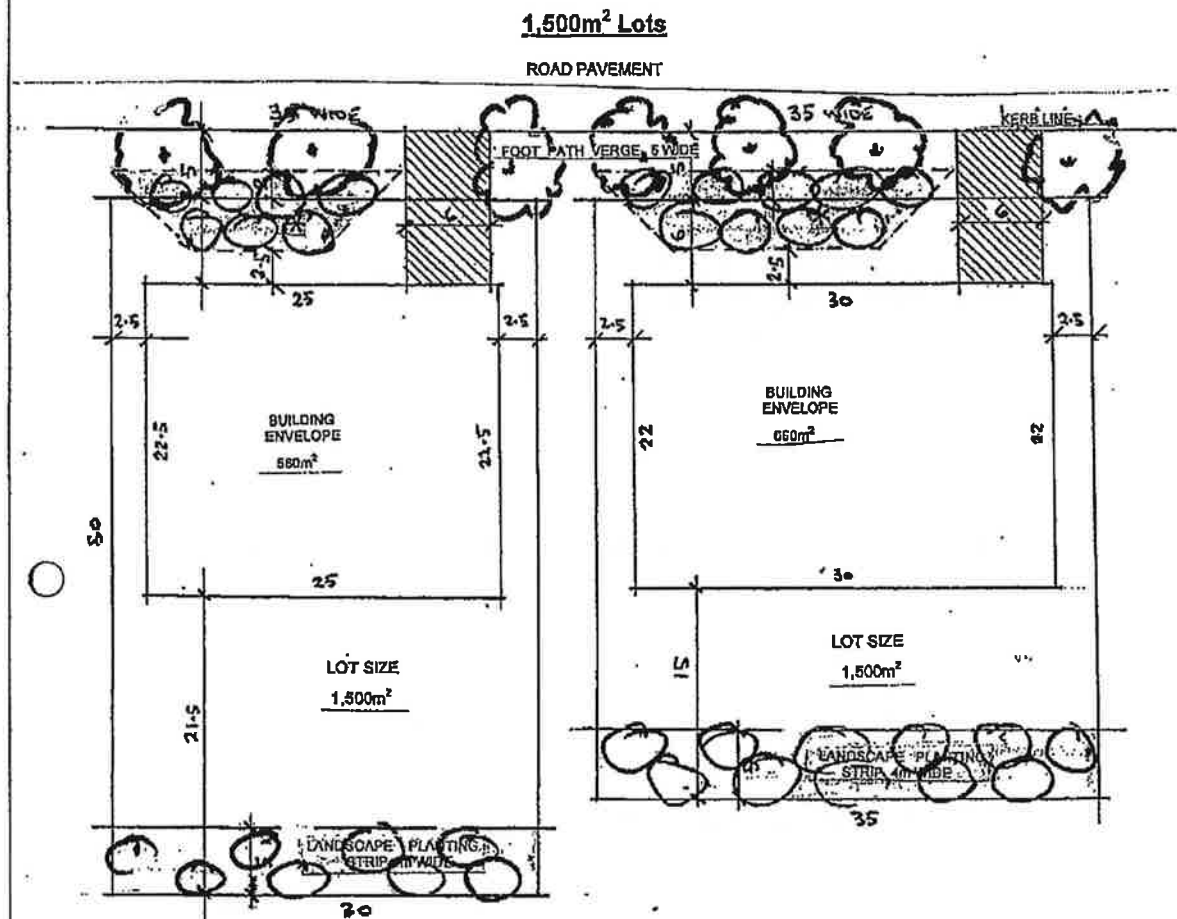


* FRONT PROPERTY & VERGE PLANTING AREA

Scale 1 : 400

LEGEND

	<u>1,000m² LOT</u>	<u>900m² LOT</u>
Lot Width	25m	20m
Building Setback from Road	6m	6m
Building Setback from Side Boundaries	2.5m	2m
Building Setback from Rear Boundary	14m	14m
Rear Landscape Planting Strip	4m wide	4m wide
Allow min	7 trees /shrubs	5-8 trees/shrubs
Building Envelope	400m ²	400m ²
Front Landscape Planting Area	54m ²	30m ²
Street Trees Allow	3 per Lot	2 per Lot



* FRONT PROPERTY & VERGE PLANTING AREA

Scale 1 : 400

LEGEND

Lot Width

Building Setback from Road

Building Setback from Side Boundaries

Building Setback from Rear Boundary

Rear Landscape Planting Strip

Allow min

Building Envelope

Front Landscape Planting Area

Street Trees

1,500m² LOT

30m

6m

2.5m

21.5m

5m wide

8-9 trees/shrubs

580m²

54m²

3 per Lot

1,500m² LOT

35m

6m

2.5m

15m

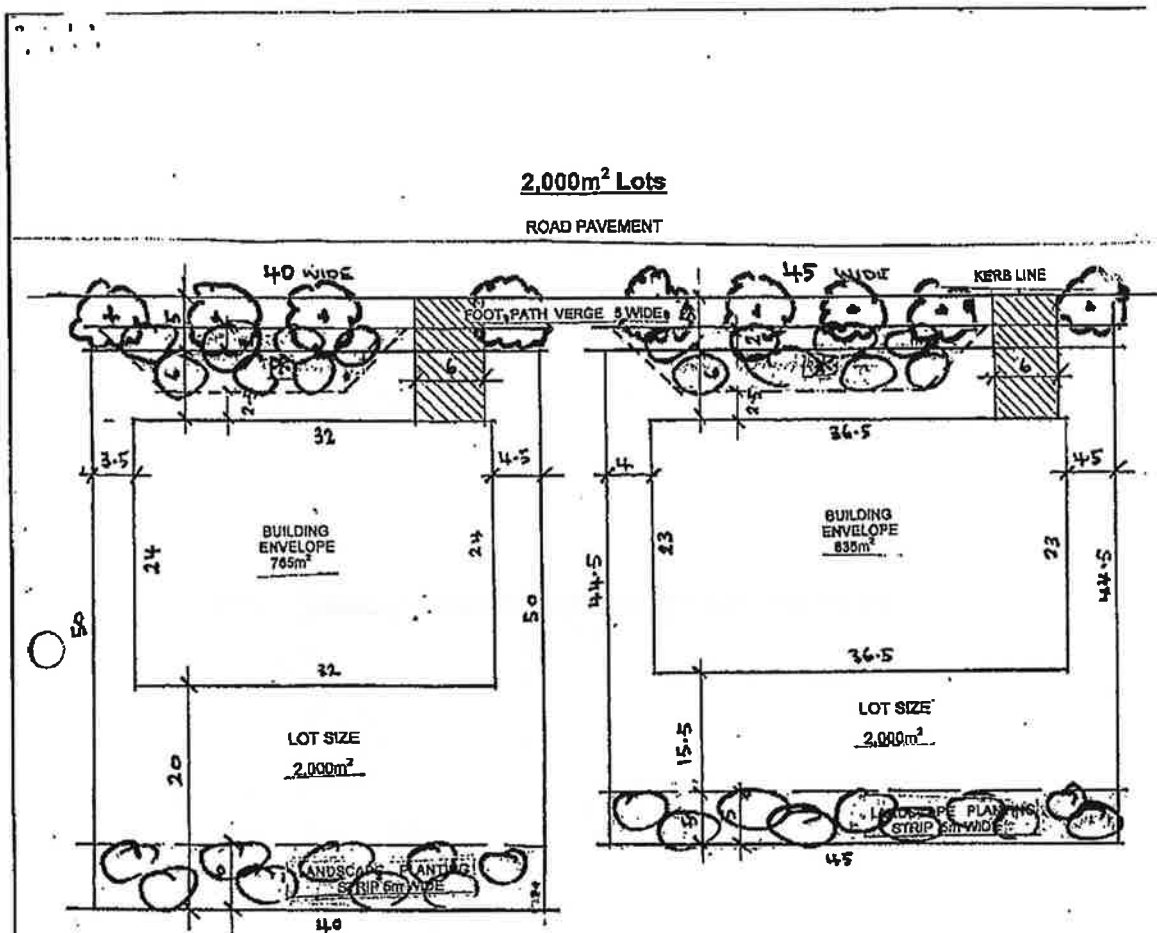
5m wide

9-10 trees/shrubs

660m²

30m²

4 per Lot



* FRONT PROPERTY & VERGE PLANTING AREA

Scale 1: 500

LEGEND

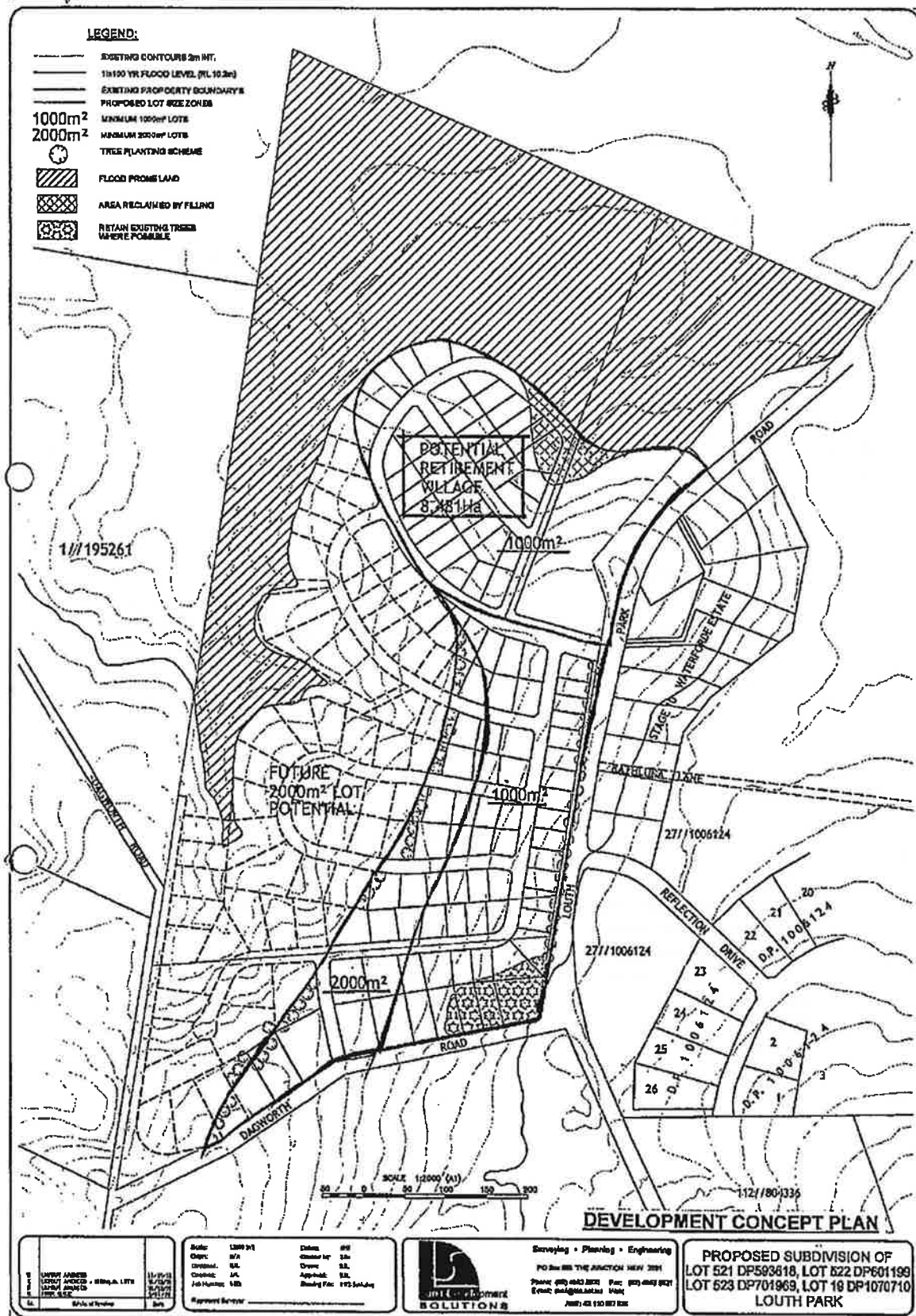
Lot Width
Building Setback from Road
Building Setback from Side Boundaries
Building Setback from Rear Boundary
Rear Landscape Planting Strip
Allow min
Building Envelope
Front Landscape Planting Area
Street Trees

2,000m² LOT

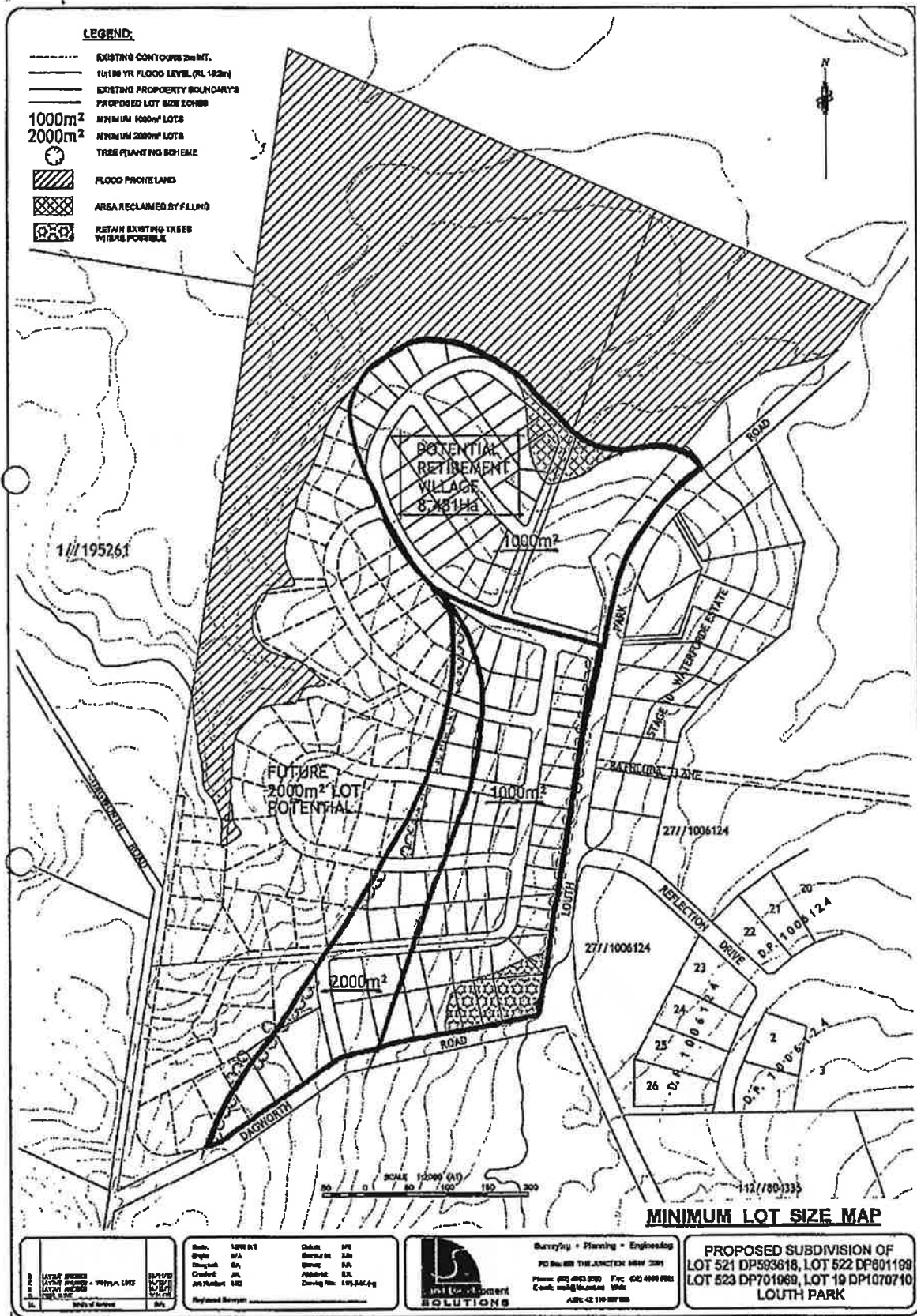
40m
8m
3.5 & 4.5m
20m
6m wide
11-12 trees /shrubs
765m²
115m²
4 per Lot

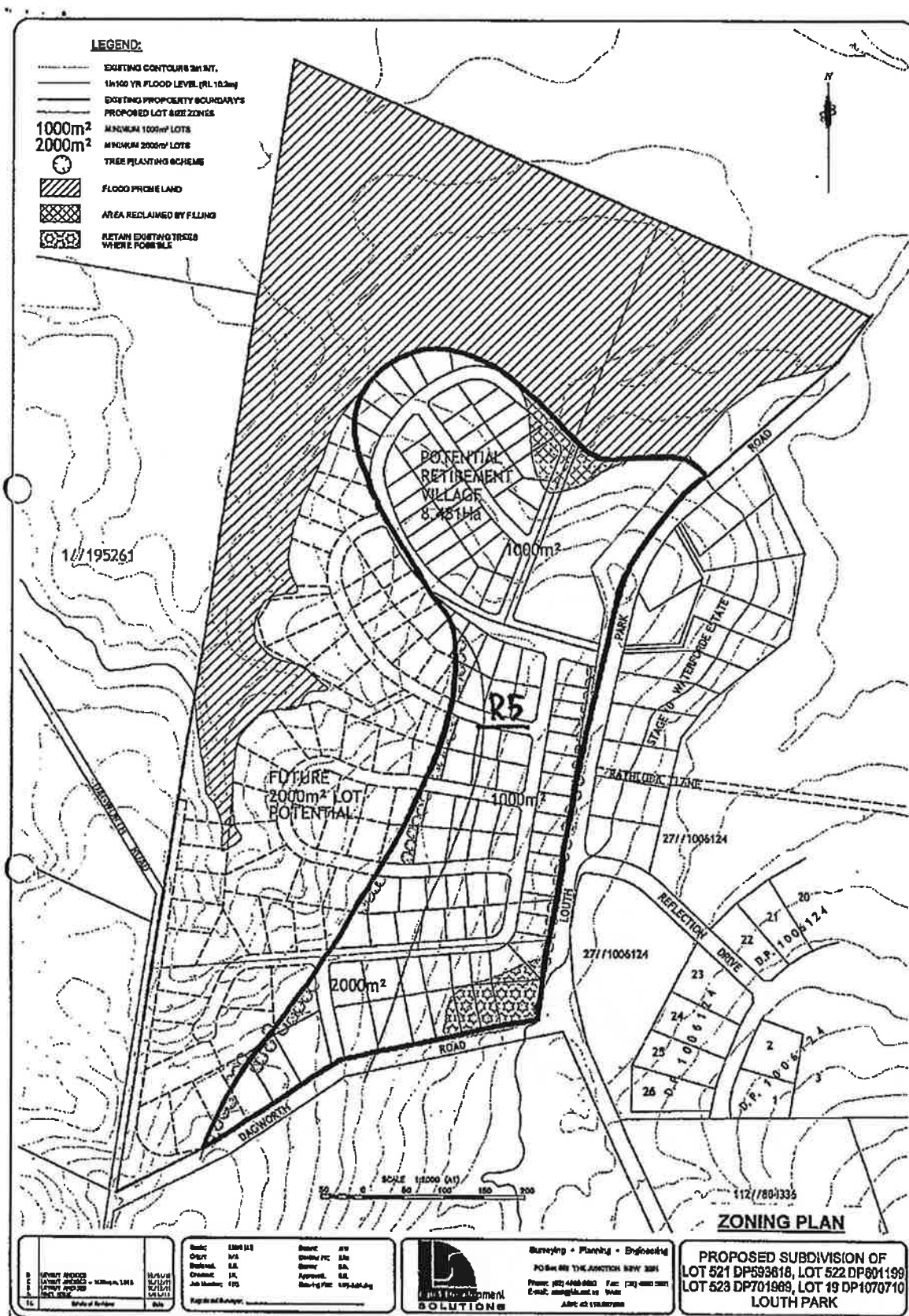
2,000m² LOT

45m
8m
4 & 4.5m
15.5m
5m wide
12-13 trees/shrubs
835m²
150m²
8 per Lot



Dwg. No. 1504-001 / A





Dwg. No. 1504-001 / C

CoePlan Consultants

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Telephone: (02) 4983 3738 or 0425 266610

Facsimile: (02) 4983 7434

e-mail: coeplan@coeplan.com

9 February 2012

Our Ref: 1504-001

Your Ref: RZ06008 (830794)
103/77/4

The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: David Evans and Bernie Mortomore

Dear Sir,

DOC No.	858514
REC'D	13 FEB 2012 MCC
FILE No.	RZ06008 103/77/4
REFER	M. Rosser, B. Mortomore

CANNED

Re: Louth Park Urban Release Area - Redman Group

Further to the Louth Park Land Owners Meeting convened by Mark Rosser and held in Council Offices on 5 December 2011, we now wish to submit the attached Development Concept Proposal including suggested Minimum Lot Sizes for the Redman Group land holding within the Louth Park Urban Release Area.

This proposal provides for a mix of 1,000m² lots on the lower portion of Redman lands to the east of the central ridge line with 2,000m² lots on the higher area. Justification for the lot size mix is included in the accompanying submission.

My client has for some time expressed interest in developing a Retirement Village site in the most northern portion of the flood free portion of the Redman Land Holding. It is our understanding that the R5 Large Lot Residential Zone proposed by Council for Louth Park Release Area prohibits the development of a retirement village and we request that Council give consideration and support for the inclusion of a special "enabling clause" in the new Maitland LEP to allow for a Retirement Village to be development within the most northern portion of the subject Redman land as shown edged Red on the accompanying Plans.

We would appreciate the opportunity of discussing these matters with you in the near future.

Yours faithfully

CoePlan Consultants Pty Ltd

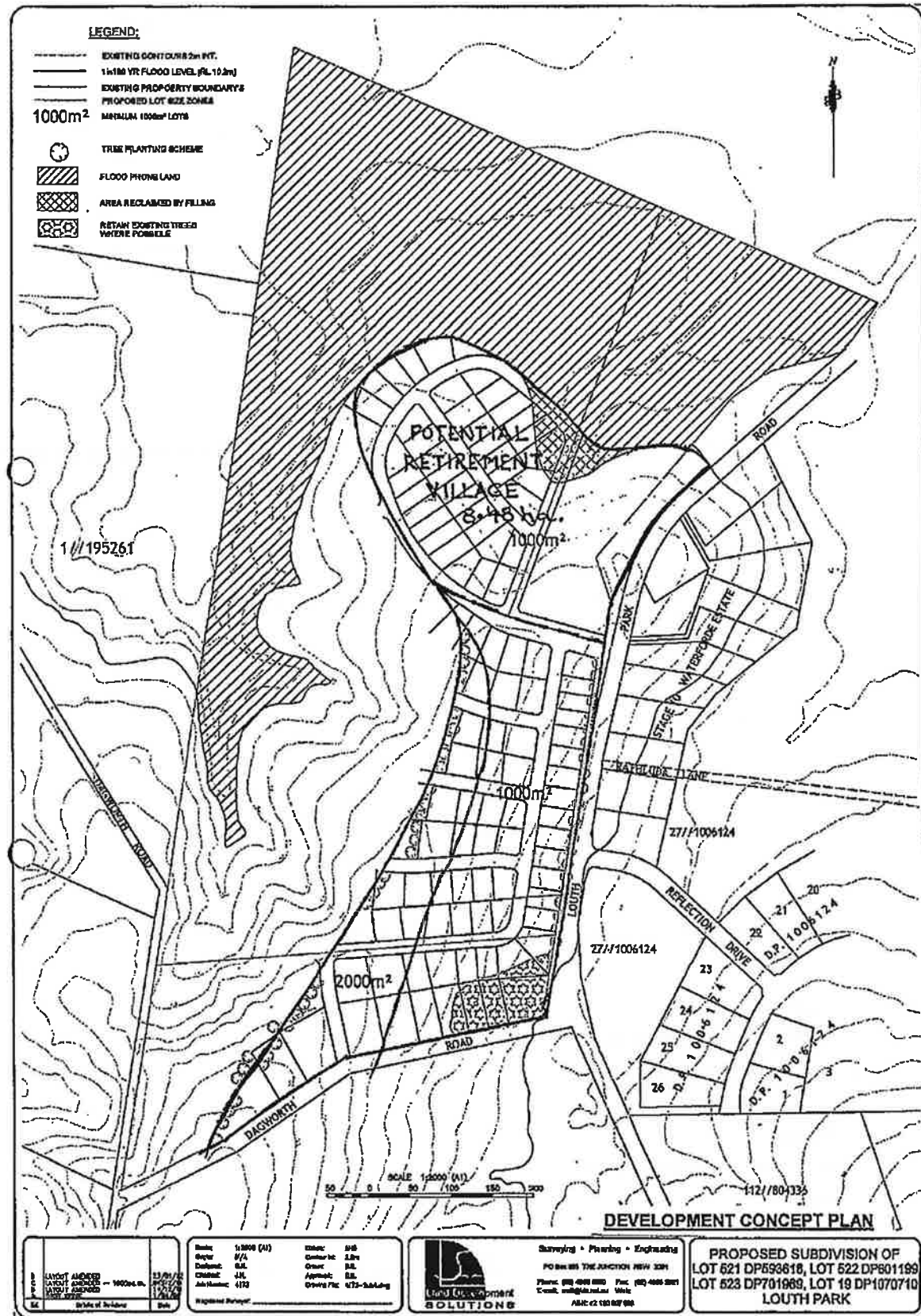
Geoff Hawke
Principal

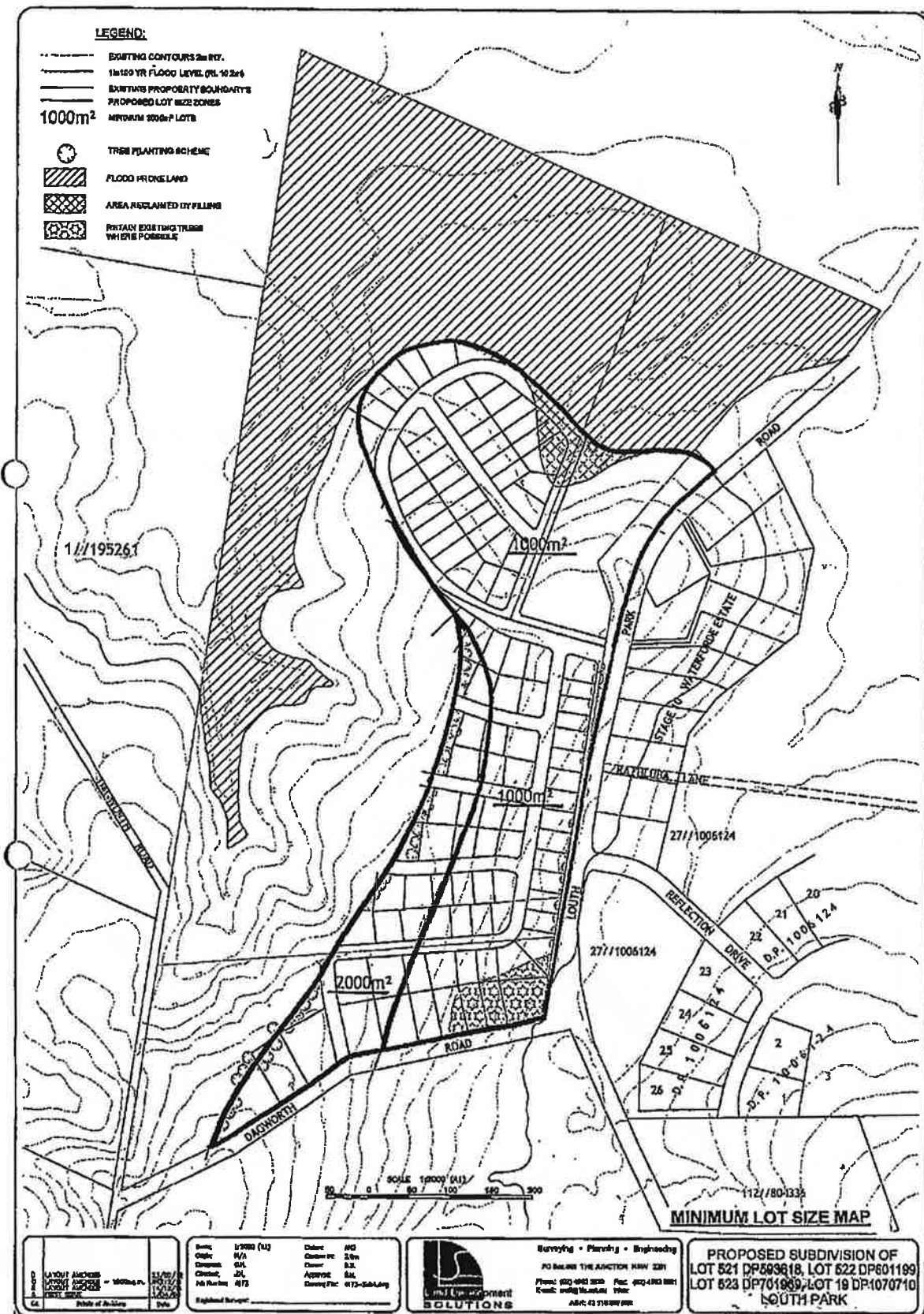
Direct e-mail: geoff@coeplan.com

Attachments

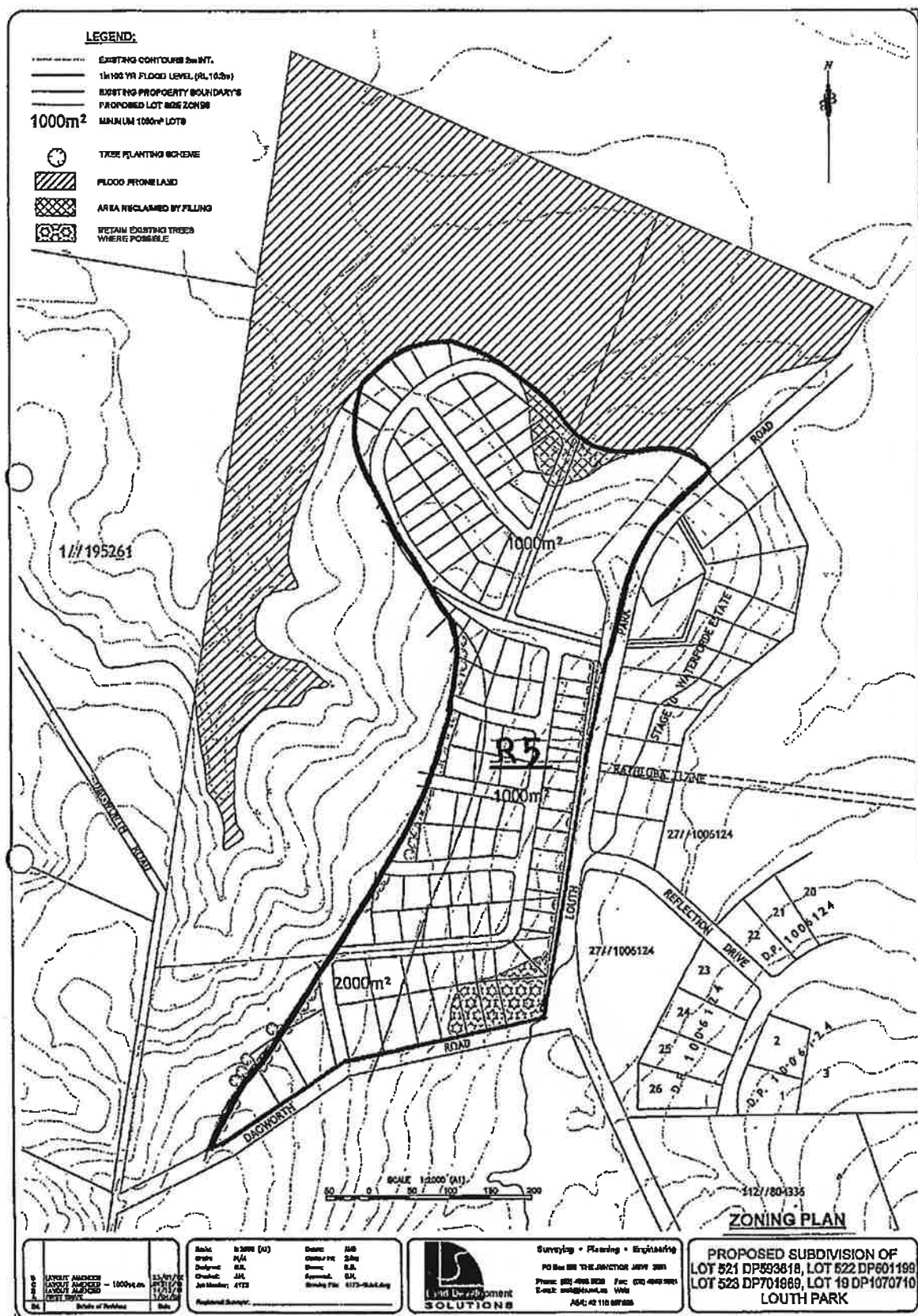
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Dwg. No. 1504-001 / B



Dwg. No. 1504-001 / C

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Residential R5 Density Option.
Redman Group Land West Side Louth Park Road

1. Comments regarding the 4 Alternative Options provided by Mark Rosser 24 Nov 2011 were discussed at a Land Owners Meeting convened by Mark Rosser and held at Maitland City Council on 5 Dec 2011.
 - a) Option A – 800m² and 2,000m² Mix
 - b) Option B – 1,000m², 2,000m² and 4,000m² Mix
 - c) Option C – 1,500m², 2,000m², 4,000m² and 5,000m² Mix
 - d) Option D – 2,000m², 5,000m² and 10,000m² Mix

After much discussion it was left to each individual land owner to make a separate submission to Council justifying what they each believed to be the most appropriate development density for their respective lands.

The following is provided in relation to the Redman Group Land Holdings at Louth Park located to the west of Louth Park Road and north of Dagworth Road.

2. **Alternative Option for Redman Land**

Attached Dwg. No. 1504-001/A is submitted as being the favoured Large Residential Lot Development Concept for the Redman Group land holdings for lands between the eastern side of the ridge line and the western side of Louth Park Road. This involves a mix of 1,000m² and 2,000m² lots.

This concept plan provides for some 100 x 1,000m² lots and 18 x 2,000m² lots on the eastern side of the central ridge line that traverses the Redman Group Land.

An area in the most northerly portion is identified as 1,000m² lots is also a desirable and potential site for a Retirement Village.

3. **Visual Issues**

Only a small percentage of existing residence in the Waterforde Estate fronting Reflection Drive have a view of the subject Redman lands. Maximum of 13 dwelling sites of which only 8 sites have unimpeded views over a distance ranging between 280m and 440m across a low lying drainage channel and existing rural lands.

It should also be noted that the flood free land on eastern side of Louth Park Road to the north and south of Reflection Drive is zoned for Rural Residential purposes similar to Waterforde Estate and is the subject of a current Development Application for an additional 13 dwelling sites. Once developed this additional housing area will further reduce views from the existing Waterforde Dwellings to the Redman Group Land Holding.

As a consequence the visual amenity of the Redman Lands as viewed from the Waterforde Estate is considered minimal and should not be used as a constraint for determining lot sizes.

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The Visual Impact Assessment report prepared by Moir Landscape Architects for the Louth Park Area had recommended that the subject site was suitable for residential subdivision and standard housing purposes from a visual point of view. This VIS provided recommendations for tree planting on the ridge line and on the lower flood affected lands on the western side of the Redman Land. Planting along the Louth Park Road and within the proposed residential roads will also assist in softening the aspect of the future development of the subject land when viewed from the eastern Waterforde Estate.

The new DA for the Stage 10 Waterforde Estate subdivision and housing development of the flood free land on the eastern side of Louth Park Road and north of Reflection Drive currently being processed by Council will also reduce the views of the Redman land from the Waterforde Estate.

4. Other Constraint Issues for Consideration

a) Topography

Gentle easterly slopes exist over the majority of the subject land that are ideally suited for future residential subdivision and dwelling construction. This is not a constraint to future development of the site.

b) Drainage

The majority of the site has gentle slopes to the east where drainage can be readily controlled by a series of drainage pipes and inlet pits within new road construction.

A minor gully exists in the most northerly portion of the site that drains to a natural water course within the most northerly portion of the Redman Group land holding and into a series of existing farm dams within the Redman properties.

Drainage is not a constraint to future development of the site.

c) Vegetation

Vegetation is limited to the south-eastern corner of the subject site at the corner of Louth Park Road with Dagworth Road. The majority of existing trees can be retained within any future development of the site and are therefore not a constraint to future development of the site.

d) Ridgeline

The ridgelines that traverse the site are relatively wide, flat and have elevations ranging between 30m in the south near Dagworth Road and 20m in the northern portion of the site. Ridgelines to the south, east and west are much higher and range from a low 30m at Dagworth Road up to 50m in the south and east. It is considered with suitable tree planting and building envelope control near the ridge line this will have minimal impact on the future development of the site.

e) Flooding

The 1 in 100year flood line of RL10.2mAHD determines the limit of the development area. A small area in the south-east corner at the Louth Park Road and Dagworth Road, the exact position needs to be determined by survey. The extent of flooding in the north has determined the proposed R5 Zone boundary. Similarly for future releases the 1 in 100year flood line will determine the extent of future westerly releases. The 1 in 100 year flood contour is plotted on the attached Concept Plan.

CoePlan

f) *Past Underground Mining*

The Redman Group land holding is not subject to any past mining activity and as such Mining is not a constraint to future residential development of this subject site.

5. **Future Subdivision Concept**

A subdivision concept plan has been prepared for the entire flood free Redman Group land holding. This concept has provided for 1,000m² lots on the lower eastern slopes and 2,000m² lots on the higher eastern slopes. The Concept plan also extends to the western side of the ridge in order to show the longer term relationship of this initial proposal with the ultimate development potential for the Redman Group land holding at Louth Park. See Dwg. No. 1504-001/A – Development Concept Plan.

In addition, an area of some 8.5ha has been identified in the most northern sector of the subject land holding as having potential for development as a Retirement Village in lieu of some 40plus x 1,000m² lot subdivision. This has been a long term ambition of the current land owners who are well experienced in the Retirement Village Industry having undertaken a major Village at Wagga Wagga. This retirement village option has been referred to Council on many previous occasions.

5. **Justification**

The subject land is well located at Louth Park and has minimal practical and environmental constraints. The site:

- Is readily accessed off Louth Park Road and Dagworth Road.
- Can be easily serviced from the existing utility services in the area. The Land Owner has been responsible for having the sewer reticulation mains extended to the area as part of the Waterforde Estate.
- Has minimal tree growth having previously been used as a dairy farm in years gone by. Only minor grazing activities are carried out on the site over the past 10 to 15 years.
- Is not impacted by past mining activities.
- Can only be viewed from a relatively small number of existing dwellings in the western sector of the Waterforde Estate and is not visible from other urban areas.
- Is easily drained and is generally above the 1 in 100year flood level.
- Can accommodate up to 100 x 1,000m² and 18 x 2,000m² lots on the eastern slopes. There is further potential for an additional 15 x 1,000m² and 50 x 2,000m² lots to be developed on the western flood free slopes in the longer term.
- Landscape planting along the central ridge, adjoining the edge of the flood plain, along the Louth Park Road frontage, and within the residential street verges and the rear and frontage of the larger lots will greatly assist in softening the visual impact of the housing development when viewed from the west as well as viewed from the Waterforde Estate to the east and south-east of the Redman Land.
- Keeping the majority of eastern lots to 1000m² maximises the site potential and assists with providing for an economically viable estate. The lot size boundaries have had regard for subdivision concept and ensuring a viable and desirable urban community can be established rather than just another subdivision development.

CoePlan

6. Lot Size Plan

The attached Plan No. 1504-001/B shows the suggested Minimum Lot Sizes for inclusion in the initial rezoning plan for the Redman Group Lands.

7. Potential Retirement Village and Redman Role in Retirement Village Development at Wagga Wagga

The Redman Group have for some time been planning for a Retirement Village on the most northern sector of the subject site. This would involve a \$100million Retirement Care project based around care with eco-characteristics.

The proposed R5 Large Lot Zone precludes the development of a Retirement Village on this Site.

Alternatively this particular use could be handled as a special "enabling clause" within the Maitland LEP in order for a Retirement Village to be established in the area marked by Red Edging on the attached Concept Plan. The style and character for the retirement village in this most northern portion of the Redman Site can easily be accommodated within the landform without adversely impacting on the visual amenity of the surrounding area. An integrated landscape planting scheme will ensure such a development can be sympathetically accommodated into this northern portion of the site without adversely impacting on adjoining and adjacent land holdings. The surrounding rural land will assist with this integration.

The Redman Group are presently involved in the construction of a 200 plus unit Self Care and a 93 unit High Care Village at Wagga Wagga. For some considerable time, the Redman Group have been investigating and have continually made reference to Council of their desire to establish an Eco Resort Style Retirement Village within the northern sector of their substantial Louth Park land holding. This area has the potential to incorporate the social aspects of Tennis Courts, Bowling Greens, Golf Driving Range, Market Gardens, Water Features and Landscape Park Amenities as well as the usual facilities attached to a retirement village that will overlook Maitland and be close to the new Motorway that is to link the F3 Freeway with Branxton.

The Redman's Retirement Village Designer has a great expertise in the Retirement Industry and his developments at the Central Coast, Tamworth, Wagga Wagga, Dubbo, Hallidays Point, Kempsey, Bowral, and Sydney can be viewed on the web. they are greatly disappointed that Council is proposing the R5 Zone instead of say a R2 Residential Zone with a minimum lot size of 1,000m². It is submitted that a large retirement Village in the northern sector of their Louth Park lands would also have the following real advantages over a R5 Zone Development:

- Reduction in traffic movements;
- Provides an opportunity of utilising a sewer package plant to service the retirement village and utilise the treated effluent for irrigation of the landscape areas. This puts no additional demand on the HWC sewage infrastructure;
- More flexibility and control over many design and management issues; and
- Supply real needs in servicing the problems of accommodating the ageing population in the Lower Hunter Region.

CoePlan

It is requested that Council include a special "enabling Clause" to allow a large Retirement Village to be built on the northern flood free portion of the Redman Group land as shown on the proposed Zoning Dwg No. 1504-001/C.

The Redman Retirement Village at Wagga Wagga is on 30+acrea (12ha) and is positioned overlooking the Wagga Wagga CBD a similar distance as the Louth Park land is to the Maitland CBD. The Wagga Village, known as Settlers Village, has 120 Self Care units completed and 67 Higher Care Rooms. Both Developments can be viewed at www.settlersvillage.com.au and a brochure is included with this submission for Council's information. The Redman Settlers Village development will when fully developed contain some 200 self care and 100 Full Care Units.

It is also submitted that the population catchment of Maitland and its surrounding region is of similar size to Wagga Wagga. It should also be recognised that the Maitland LGA is growing at a faster rate than Wagga Wagga and that Maitland does not have as many Retirement Villages as Wagga Wagga.

If Council is committed to Rezoning the entire Louth Park Release Area for R5 Zone then we seek Council's support to incorporate a special "Enabling Clause" into the LEP to allow a Retirement Style Village and Uses to be developed on the northern section of the Redman Land.

8. Conclusion

The attached Development Concept Plan (Drawing No. 1504-001/A) provides Council with a proposal for the development of the Redman Land including the designation of minimum Lot Sizes of 1,000m² and 2,000m².

An area of flood free land in the northern sector has also been identified as a potential Retirement Village and it is requested that Council support a Special "Enabling Clause" be in the Louth Park R5 Zone to allow for the development of a Retirement Style Village.

Council recognise the costs previously expended by the Waterforde and Kenrossal land owners (Redman Group) in having the Hunter Water Sewer mains extended to the Louth Park Area in determining the extent of future releases.

Council's support of this proposal for the Redman Group Land Holding is now sought.

Attachments:

- Dwg. No. 1504-001/A Development Concept Plan
- Dwg. No. 1504-001/B Minimum Lot Size Map
- Dwg. No. 1504-001/C Zoning Plan
- Settlers Village Retirement Village Brochure as being developed by the Redman Group at Wagga Wagga

Waterforde Pty Ltd

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ABN 35 081 792 556

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Fax: (02) 4934-6599
E-mail: info@redco.biz

SCANNED

Our Ref: WATEPL1

16th March 2012

The General Manager
Maitland City Council
P.O Box 220 Maitland 2320

Dear Sir,

Re: Louth Park Urban Investigation Area
Your Ref: RZ06008 (845059)

We have been commissioned by the owners of Lot 522, Louth Park Road to prepare a submission for Lot Sizes as requested in your letter of the 24th November 2011.

As this land has only recently been added to the Investigation Area, we have relied upon previous reports for the identified site constraints.

In order to make a meaningful submission that deals with all of the site constraints, our submission includes all of the land within the Investigation area.

The Lot Size Submission and Stormwater Management Report are enclosed and the owner's consent to this submission is endorsed.

GCC Properties Pty Ltd

D. Redman (Director)

Conver Pty Ltd

G. Glover (Director)

Yours faithfully,

Geoff Glover (Director)

*845059

DOC No.	865902
REC'D	19 MAR 2012 MCC
FILE No.	RZ 06008
REFER	M Roser

X:\Windows\Office\Waterforde\Louth Park Urban Investigation Area.doc

Waterforde Pty Ltd

ABN 35 081 792

556

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EAST MAITLAND NSW 2323

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PO Box 2035

GREENHILLS NSW 2323

Our Ref:
WATEPL1

16th March 2012

LOUTH PARK URBAN INVESTIGATION AREA

LOT SIZE SUBMISSION

CONTENTS

1. Site Constraint Matrix
2. Lower Hunter Regional Strategy 2006
3. Maitland Local Environment Plan 2011
4. Lot Size Parameters
5. Lot Size Options
6. Lot Size Plan



Geoff Glover

Director

1. SITE CONSTRAINT MATRIX

CONSTRAINT	DETAILS	NOMINAL LOT YIELD	COMMENTS
Mine Subsidence	Southern section of land	N.A	Dwellings excluded where zero to 10m cover to workings
Bushfire	Southern part of land	N.A	40 m wide APZ recommended
Noise	Land fronting Mt. Vincent Rd	N.A	50m set back recommended
Traffic		800	Road and intersection improvements recommended
Sewer Infrastructure	Prior council documents indicated rural- residential development		H.W.C. advises that capacity is available for this use
Stormwater Management	Impact of urbanisation on downstream land	350	Shallow holding dams and landscaping to watercourses recommended
Visual	Western ridgeline of land		20m wide landscaping buffer with roof height restrictions recommended

The site constraints provide an indicative lot yield for the investigation area of the order of 350 lots.

This lot yield equates to an average lot size of the order of 2,500 s.m.

This average lot size indicates that the appropriate zoning for the investigation area is R5 Large Lot Residential.

2. LOWER HUNTER REGIONAL STRATEGY 2006

The LHRS states that

New urban release areas will be planned to achieve an average yield of 12 dwellings per hectare.

This equates to an average lot size of the order of 600 s.m.

The LHRS also states that

The scale of new development within and adjacent to existing villages and rural towns must respect and preserve their character, scale, cultural heritage and social values.

Any future rezoning proposal for rural-residential development, beyond areas already available or identified, should be:

consistent with the Sustainability Criteria (Appendix 1)

consistent with an endorsed local council strategy

maintain the character and role of the existing village centre.

Appendix 1

The following Sustainability Criteria allow the Government to take strong positions in relation to matters of urban settlement in the Lower Hunter confident in the knowledge that innovative development proposals can still be considered even though they may be outside of the regional strategy process.

The Sustainability Criteria are Infrastructure Provision, Access, Housing Diversity, Employment lands, Avoidance of Risk, Natural Resources, Environmental Protection, Quality and Equity in Services.

The site constraint matrix indicates that the R5 zoning satisfies the Sustainability Criteria.

3. MAITLAND LOCAL ENVIRONMENT PLAN 2011**Zone R5 Large Lot Residential****1 Objectives of zone**

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

4. LOT SIZE PARAMETERS

In order to meet the zoning objective of "To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality."

The following parameters with lot size implications are indicated

Parameter	Detail	Comment
Lot widths	25m to 40m	compatible with surrounding development
Front boundary setback	15m to 20m	compatible with surrounding development
Side boundary setback	3m to 5m	compatible with surrounding development
Building area	600 s.m	compatible with surrounding development
Rear boundary setback	20m to 40m	Refer to site constraint matrix table

Other parameters to meet the zoning objective, without lot size implications, being landscaping, fencing types, material colours etc. would be detailed at the DCP stage.

5. LOT SIZE OPTIONS

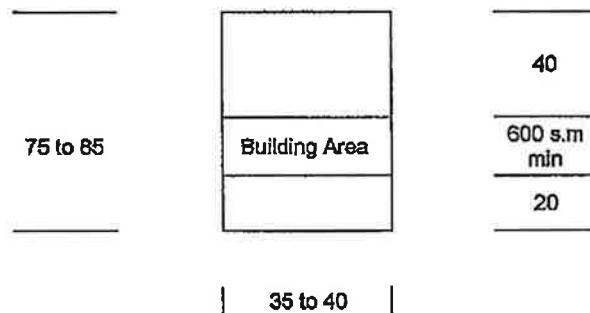
In order to meet the zoning objective of "To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future", the following mix of lot sizes is proposed

5.1. Larger lots fronting Louth Park road with existing dwellings.

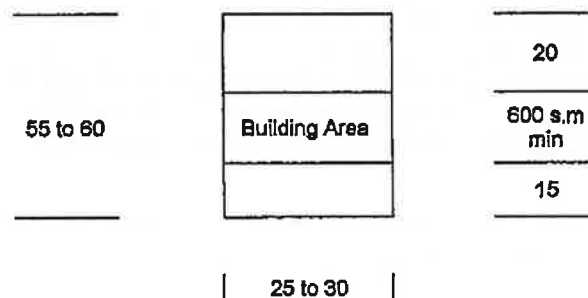
- A lot area of 4,000 s.m due to the locations of the existing dwellings.

5.2. Larger lots subject to 40m buffer for bushfire, riparian, visual or mining constraints.

- A lot area of 3,000 s.m with nominal dimensions of 35m X 85m or 40m X 75m will provide for the constraint plus the parameters to meet the R5 Zone Objectives.

**5.3. Smaller lots subject to 20m buffer for riparian constraints or no constraint.**

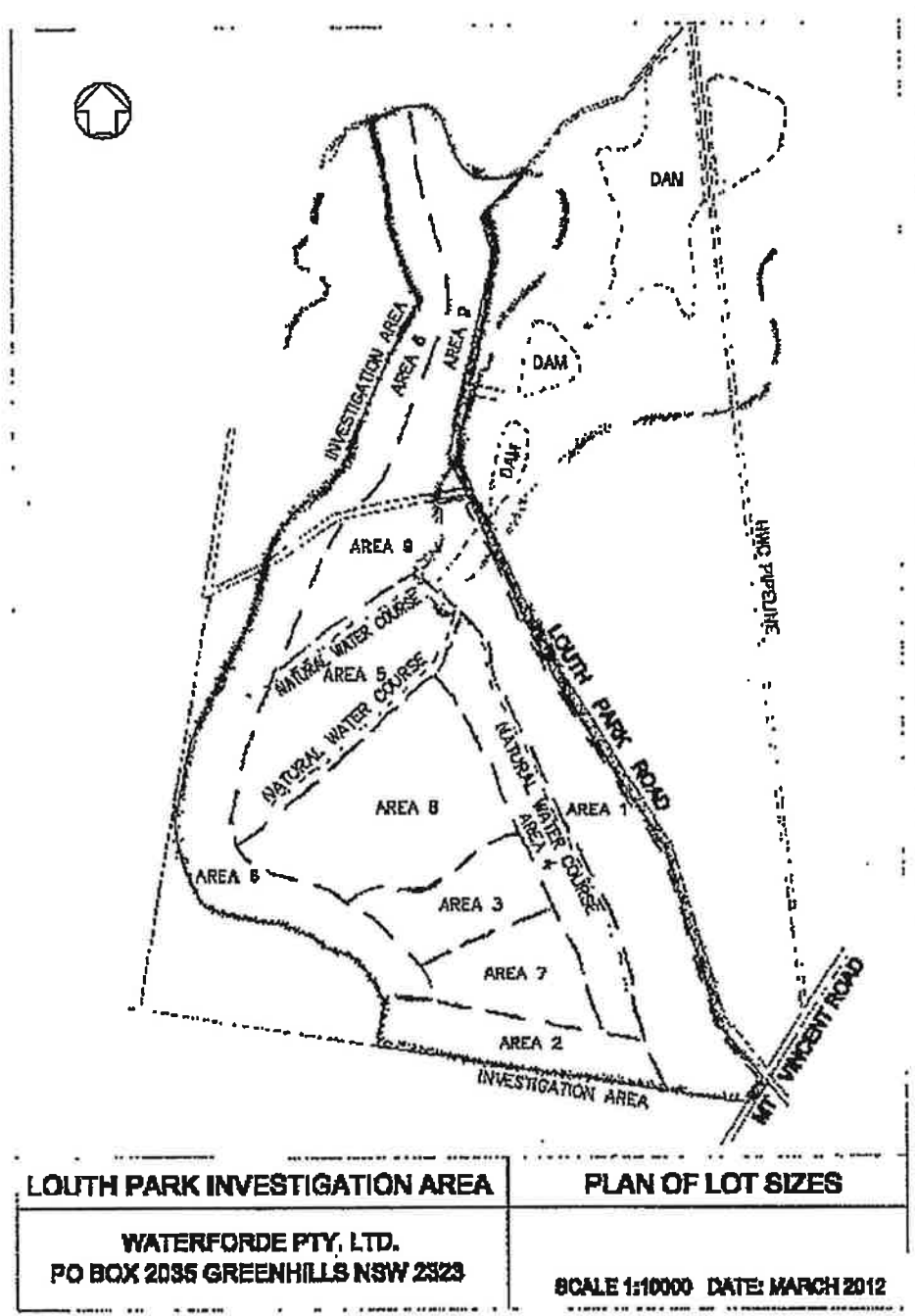
- A lot area of 1,500 s.m with nominal dimensions of 25m X 60m or 30m X 55m will provide for the constraint plus the parameters to meet the R5 Zone Objectives.



6. LOT SIZE PLAN

A proposed lot size plan is attached which indicates the locations of the various lot sizes.

Area	Lot Size	Comments
1	4,000	Locations of existing dwellings and outbuildings suggest larger lot frontages
2	3,000	Bushfire constraint
3	3,000	Mining constraint
4	3,000	Riparian constraint
5	3,000	Distance between 20m riparian buffers only permits one road between buffers
6	3,000	Visual constraint
7	1,500	No constraint
8	1,500	No constraint
9	1,500	No constraint



GEOFF GLOVER ENGINEERS

Civil Engineers & Project Managers
P.O. Box 356, East Maitland. 2323.

Ph. (0249) 33 1735
0417478567
Fax 0249 331735

Email ; geoffreyglover@bigpond.com

LOUTH PARK INVESTIGATION AREA

C

STORMWATER MANAGEMENT REPORT

MARCH 2012

O



Geoff Glover B. Sc. Eng

1. INTRODUCTION

This report investigates the stormwater runoff impacts of the proposed development of the Investigation Area.

2. CATCHMENT

The major portion of the Investigation area discharges via three watercourses to a concrete culvert located under Louth Park Road to the south of Dagworth Road.

3. DOWNSTREAM LAND

This culvert discharges to three dams in series located within Waterforde Estate. Each dam discharges via its spillway, with the northern dam also having a controlled pipe flow outlet.

The dams discharge to an open drain located on the eastern side of Louth Park Road which discharges into Wallis Creek with flood gate control.

Wallis Creek then discharges to the Hunter River also with flood gate control.

4. INUNDATION OF THE DOWNSTREAM LAND

The downstream and agricultural land adjacent to the open drain in Louth Park Road is fertile black soil used for cropping and grazing and subject to inundation.

The inundation of this land varies with the nature of a storm event and the impact of the two floodgates on stormwater flows in the open drain.

The 10 ARI and 100 ARI storm events inundate the agricultural land substantially and urbanisation of the catchment has negligible impact on the degree of inundation of the land for these storm events.

Short duration storm events of lower intensity may also inundate the agricultural land, thereby destroying crops and pastures.

The impact of these storm events may be ameliorated by the antecedent soil moisture conditions and the available storage capacity in the three dams in Waterforde Estate.

5. LOW STORM EVENTS

Using a Deterministic Model

Total Volume of Runoff = Catchment Area X rainfall excess

where rainfall excess = total precipitation - losses

5.1 For the pre-development catchment

Current storage available with normal antecedent soil moisture conditions

for the outlet controlled dam

storage volume = 12 Ha @ 600mm = 72,000 m³

for the two uncontrolled dams

storage volume = 2 Ha @ 150mm = 3,000 m³

Total storage volume = 75,000 m³

Total catchment area = 170 Ha

Area impervious: (dwellings) $82 \times 600 \text{ m}^2$ + (roads) 3 Ha = 8 Ha

for 100mm storm event by anecdotal correspondence
where L = losses

Storage volume = Catchment Area x rainfall excess

$$75,000 \text{ m}^3 = 8 \text{ Ha} (100 \text{ mm} - O) + 162 \text{ Ha} (100 \text{ mm} - L)$$

$$L = 58.5 \text{ mm}$$

this would be essentially loss by infiltration and is in the expected range of results.

5.2 For the post-development catchment

Additional development, assume 300 additional dwellings in catchment area.

Note this equates to 350 total lots in Investigation Area.

Additional area impervious = (dwellings) $300 \times 600 \text{ m}^2$ + (roads) 4 Ha = 22 Ha

$$\text{Required storage volume} = 30 \text{ Ha} (100 \text{ mm} - O) + 140 \text{ Ha} (100 \text{ mm} - 58.6 \text{ mm})$$

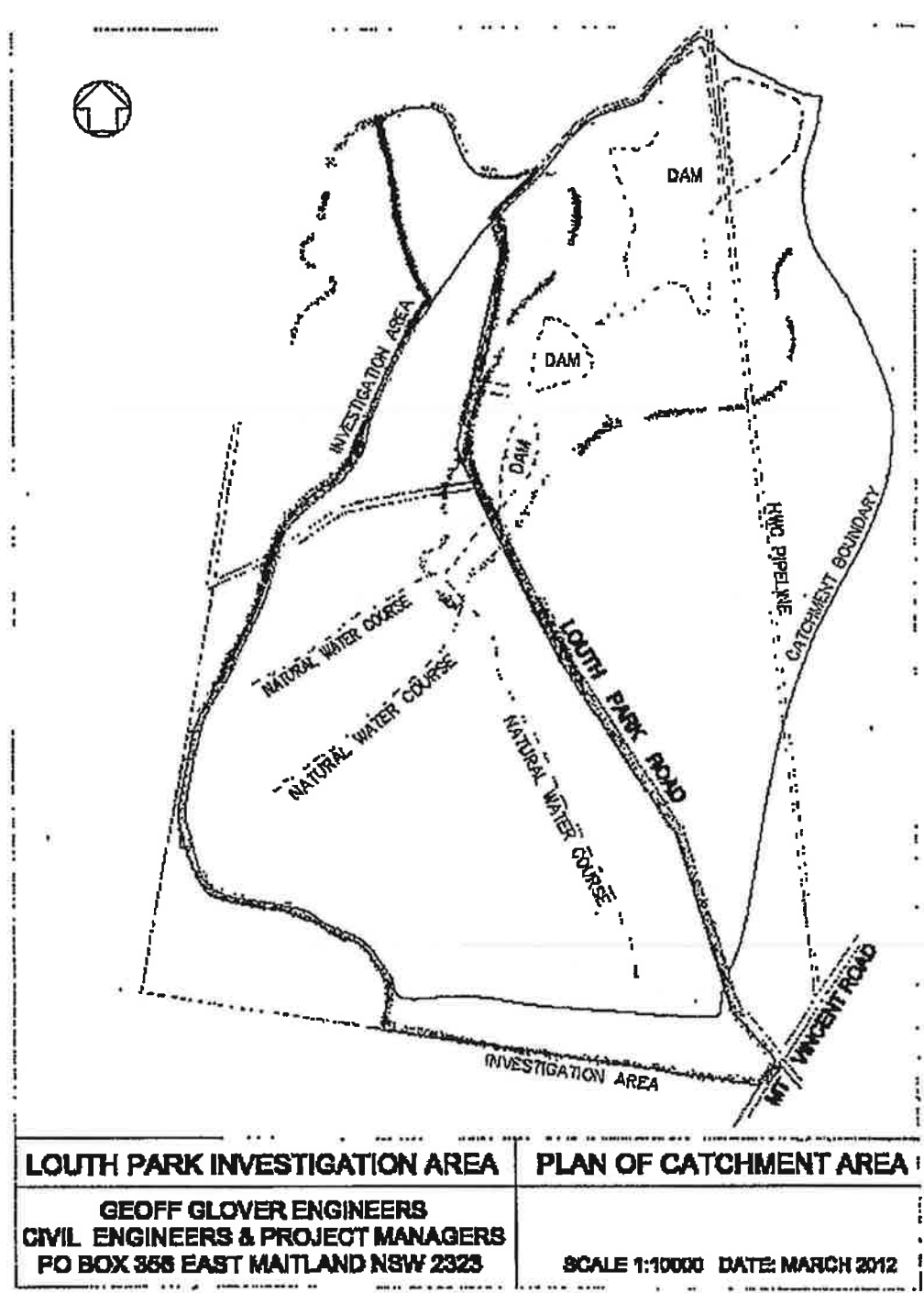
$$= 87,960 \text{ m}^3$$

$$\text{i.e., Additional storage required} = 87,960 - 75,000$$

$$= 12,960 \text{ m}^3$$

6. Post-development storage recommendations

- Where the storage to be provided is uncontrolled and relies on infiltration and transpiration for dispersal, an area of the order of 8 HA will be required.
- This area is available in the riparian buffer zones encompassing the three natural watercourses and on land on the western side of Louth Park Road adjacent to the northern dam in Waterforde Estate.
- Storage in the Buffer zones should be shallow and protected to maintain the integrity of their use.
- This may be achieved by easements and or positive covenants and mass tree planting which will aid the transpiration process as well as add to the visual amenity of the development.



RZ 06/008

SCANNED

486 Louth Park Road
Louth Park, NSW 2326
5th December 2011

Mr. M. Roser
Maitland City Council

Dear Sir,

Please find enclosed a rough sketch of proposed
subdivision of our block.

This is purely a suggestion but we will conform
to any proposals council decide on.

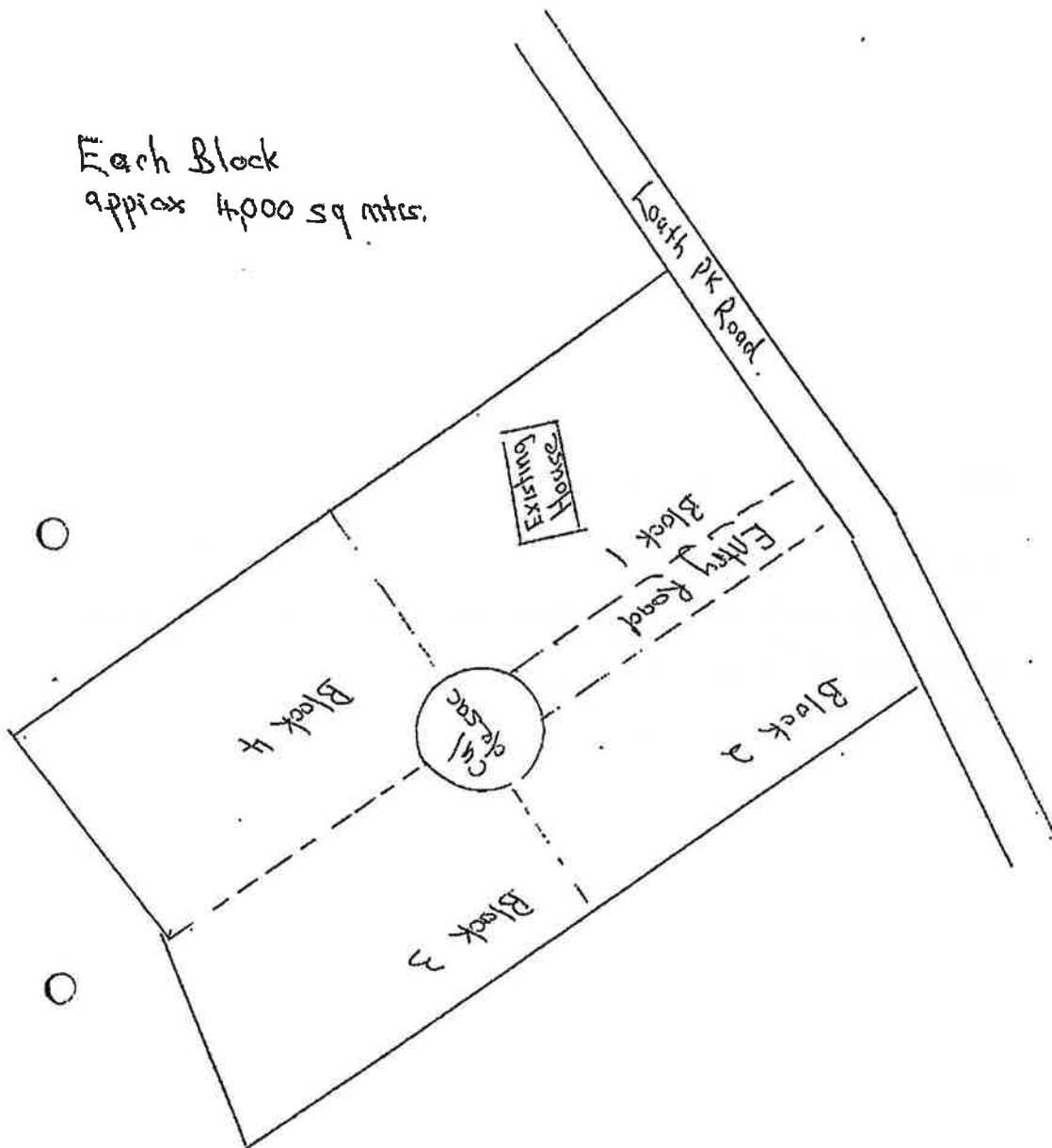
Thank you for your assistance in the past

yours faithfully
Paul & Tanya Connell.

DOC No.	847889
REC'D	07 DEC 2011
FILE No.	RZ 06/008
REFER	M Roser

Proposed subdivision for 486 Louth PK Rd.

Each Block
approx 4000 sq mtrs.



SCANNED

C P & S M Sexton
510 Louth Park Road
Louth Park NSW 2320

5/12/2011

Dear Mark Roser

RE- LOUTH PARK REZONING.

Further to our meeting regarding lot densities, we submit the following for your consideration.

- ☐ We believe the preferred lot size outcome for lot 65 Louth Park Rd would be a minimum of 4000 m2.

This outcome would enable the management of identified site constraints.
All lots will have a building envelope 40+mtrs above old mine workings.
Tree removal will minimal.

Would give the flexibility to make the lots encroaching the 40mtr reparian buffer & the lot with the current residence larger.(up to 6000 m2)

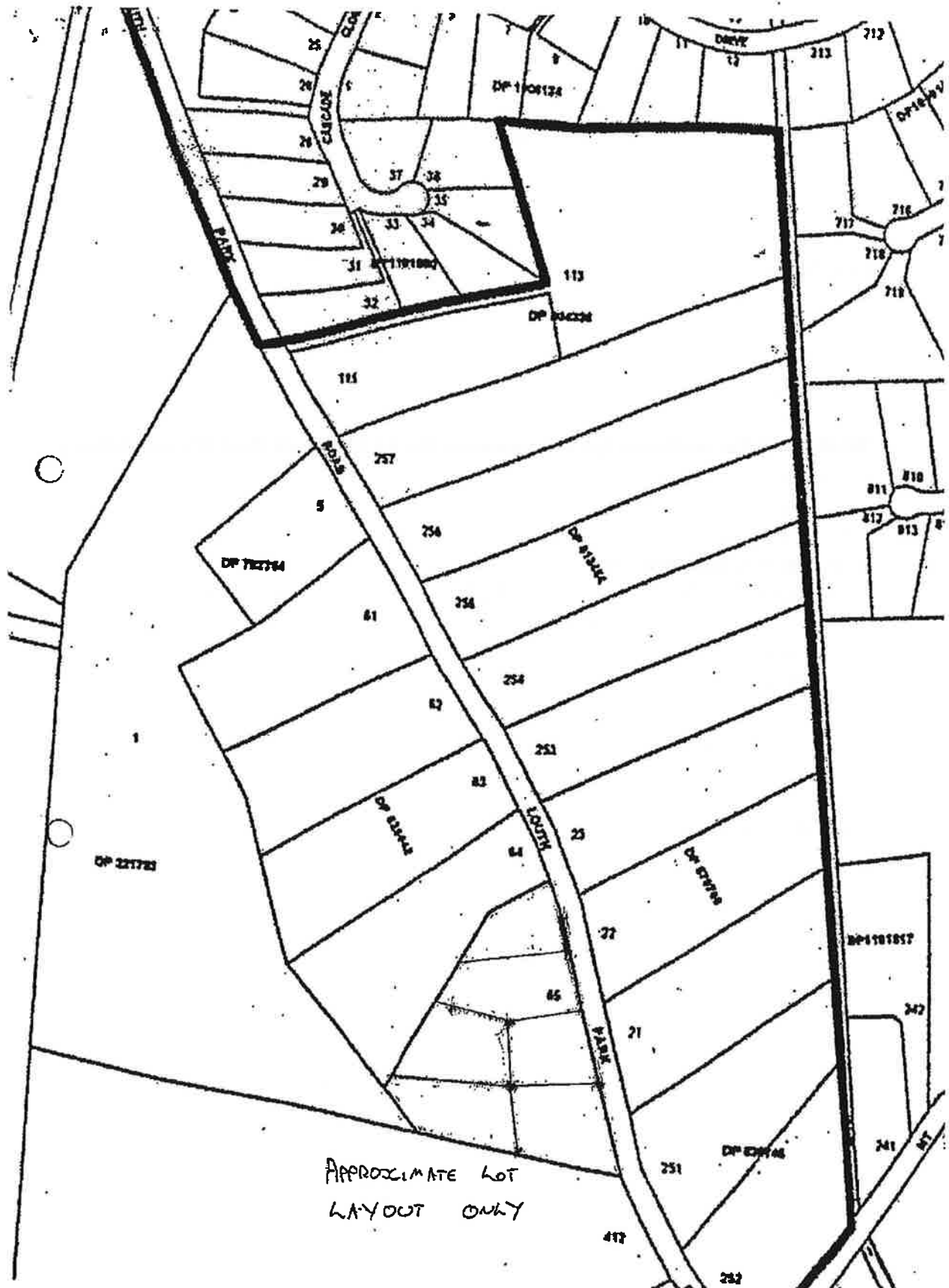
Lot 65 comprises an area of 3.13 ha & its anticipated to yield 6 lots.I have enclosed a rough layout of these lots.

Please contact us if any further clarification is required.

Regards,

☐ Chris & Sharon Sexton

DOC No.	848188
REC'D	09 DEC 2011 MCC
FILE No.	RZ 06/008
REFER	m Roser





SCANNED

Our Ref:BS:11741

18 January 2012

The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: Mark Roser

Dear Mark,

DOC No.	855940
REC'D	01 FEB 2012 MCC
FILE No.	RZ 06/008
REFER	M. Roser

○ LOUTH PARK URBAN INVESTIGATION AREA -- RZ 06/008

I refer to consideration of rezoning of land at Louth Park. ADW Johnson Pty Ltd makes these representations on behalf of Valhalla Investments Pty Ltd.

Numerous representations and development options have been made and submitted by stakeholders in the rezoning process. We remain of the view that the principles that should be adopted in the preparation of the draft Local Environmental Plan should be:

1. Maintaining larger lots in the vegetated areas to allow some retention of trees.
2. Using larger lots to provide a transition from existing development in the Waterford Estate and on Louth Park Road to future development areas.
3. Maximising residential densities in areas with limited constraints to ensure efficient use of scarce land resources suitable for development.

○ Notwithstanding these principles we acknowledge that Council has resolved that the zoning should provide for lot sizes and development outcomes consistent with the objectives of the R5 large lot residential zone. We also note comments from the Department of Planning requiring consideration of higher densities than those previously submitted by Council as a Planning Proposal.

It is clear that the wishes of all stakeholders (landowners, adjoining residents and statutory bodies) will not be totally satisfied by any development outcome due to conflicting objectives. We accept that while the land, at least in part, has the capability of supporting standard residential development as the constraints are not significantly different to those in other urban release areas such as Farley or Thornton North zoned for standard residential development, a lower density outcome is more likely to be supported by Council.

We submit that it remains open to consider a range of lot sizes with the R5 zone. We have prepared and submitted various layouts covering our clients land including layouts with minimum lot size of both 800 square metres and 1000 square metres.

ADW JOHNSON PTY LIMITED

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We believe an outcome that provides for a minimum lot size of either 800 or 1000 square metres on the relatively unconstrained land would address the objective of creating a high quality development that remains different to traditional standard or smaller lot subdivisions. Larger lots of 2000 square metres or more may be appropriate on the more constrained land and this would allow for the retention of some trees and placement of dwellings having regard for mine subsidence, visual amenity and other constraints, or even on site sewer disposal if lots were large enough.

Adopting a minimum lot size does not infer that all lots will be the minimum size. It is appropriate that all constraints be considered on merits at the development application stage which may result in lots being larger than the minimum size.

Council recently produced a number of lot size options plans to facilitate discussion. We have overlaid our preferred development layout on these plans. As shown we would seek minor variation to the "boundary" between what may be different lot size categories in the LEP.

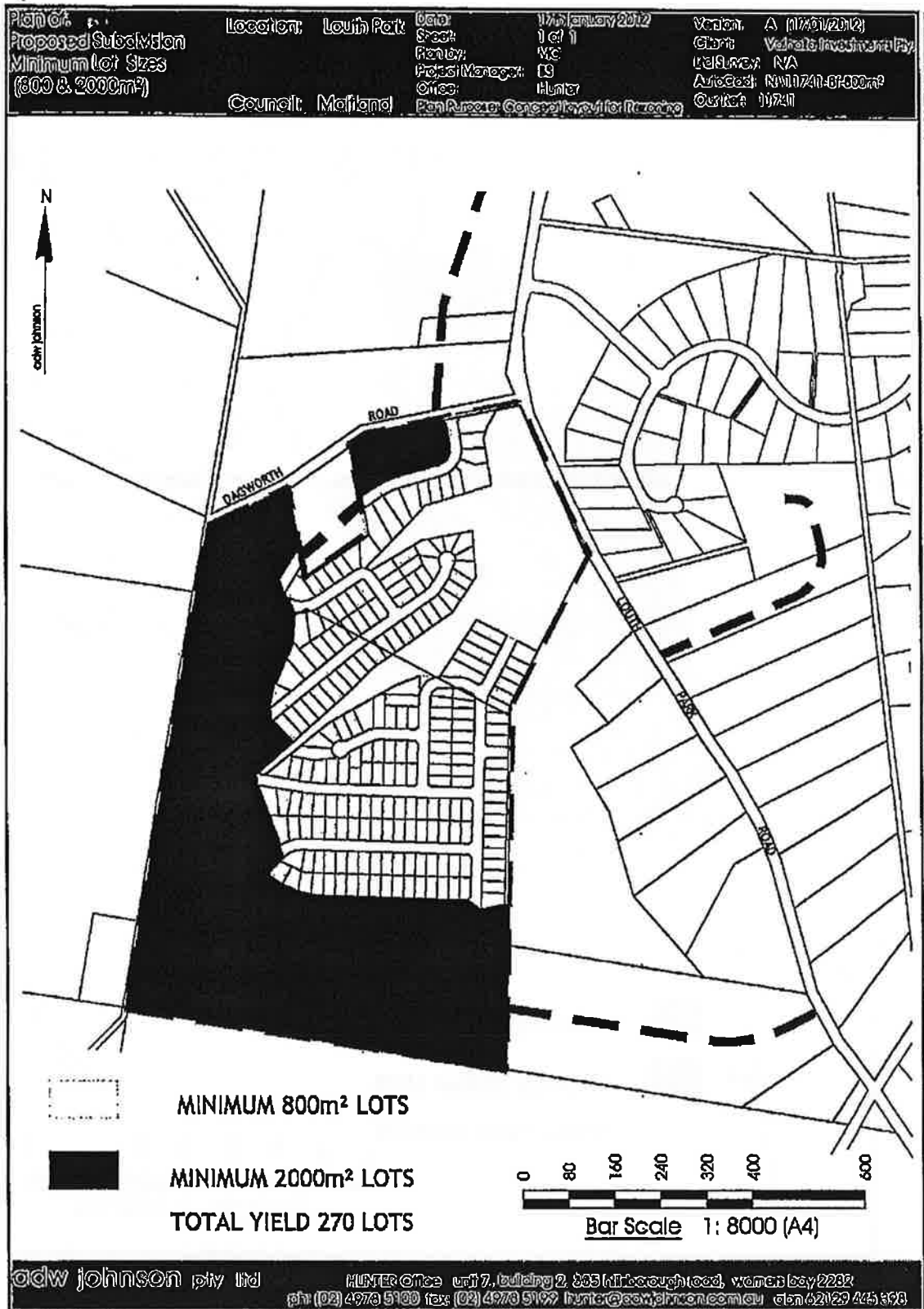
We appreciate efforts to finalise the rezoning process so that the development process can be advanced. If you require any additional information please do not hesitate to contact me at our office on 49785100.

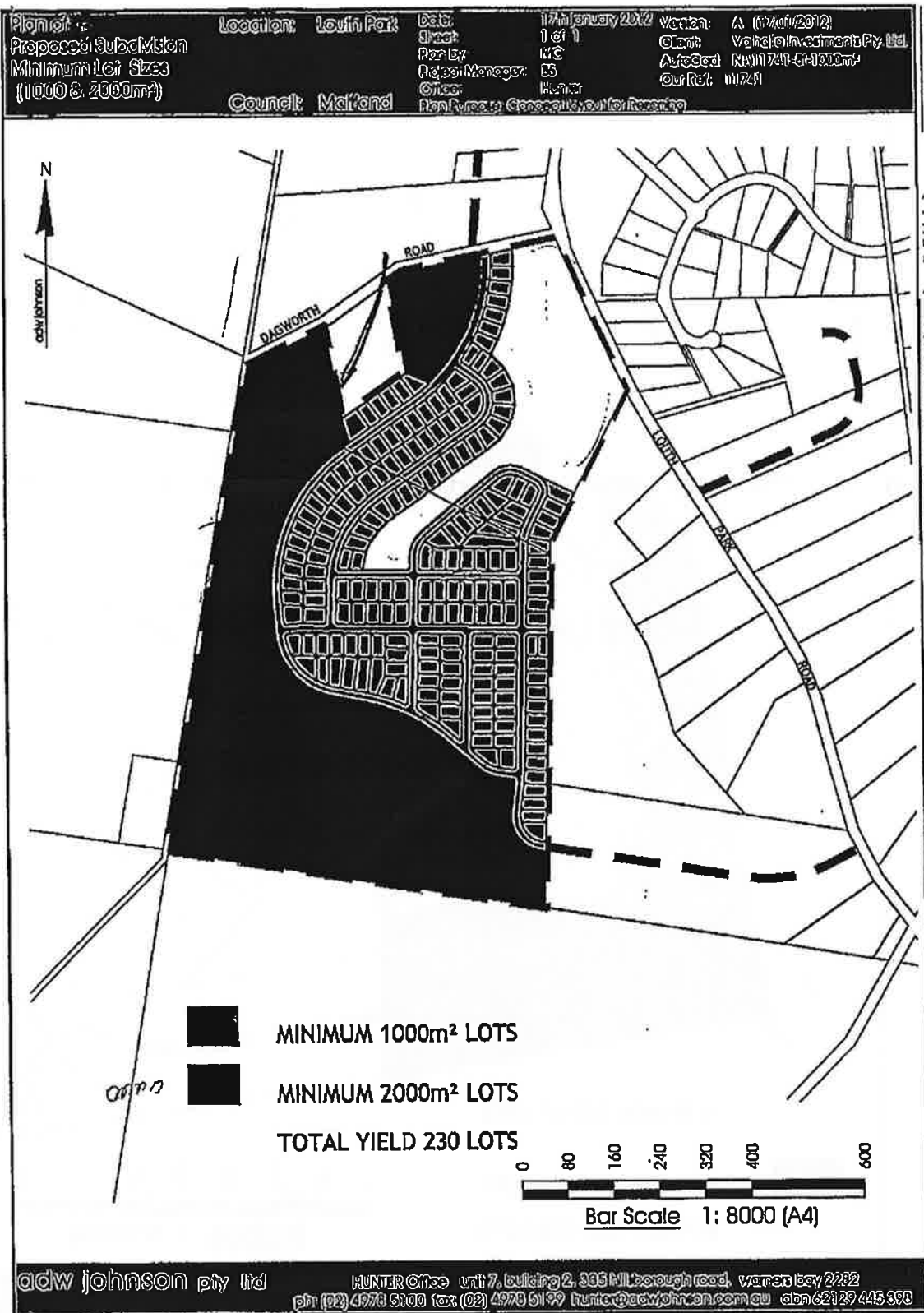
Yours faithfully

A handwritten signature in black ink that reads 'Brett Stein'.

BRETT STEIN
Senior Planner
ADW JOHNSON
Hunter Office

N:\11741\Word docs\Working Docs\Letter to Mcc Jan 2012.docx





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HILL TOP

 PLANNERS

DOC No.	
REC'D 23 FEB 2012	1200
FILE No.	
REFER	

Hill Top Planners
 PO BOX 469
 Maitland NSW 2320

Tel : 49 300 288
 Mob: 0427 938 250
 hilltop@hunterlink.net.au

22nd February 2012

Project 1611

The General Manager
 Maitland City Council
 PO Box 220
 MAITLAND 2320

Attention: Mark Roser

Dear Sir,

Louth Park Urban Investigation Area

We act for M & P Tulip who are the owners of a parcel of land in the Louth Park Urban Investigation Area described as Lot 412 DP 854995 comprising an area of 11.3 hectares. We provide, on their behalf, a response to Council's request for landowners to provide a submission outlining the density of development considered to be appropriate for their property.

We have examined the various proposals that have been prepared to date, including those by Council, and are of the view that the land is well suited to lots with areas within the range of 1500 to 2000 square metres. This size is significantly larger than the earlier proposal submitted by ADW Johnson in February 2011 which was arrived at through meetings between planning consultants working for the western landowners.

As Council is aware, it is likely that in order to provide good access to the western precinct, a collector road will traverse our client's property most likely along the ridgeline. While it is recognised that the southern edge of the site is impacted by a bushfire threat, the balance of the site is relatively unconstrained and well suited to urban development of the suggested density.

We look forward to being kept informed on the progress of this matter.

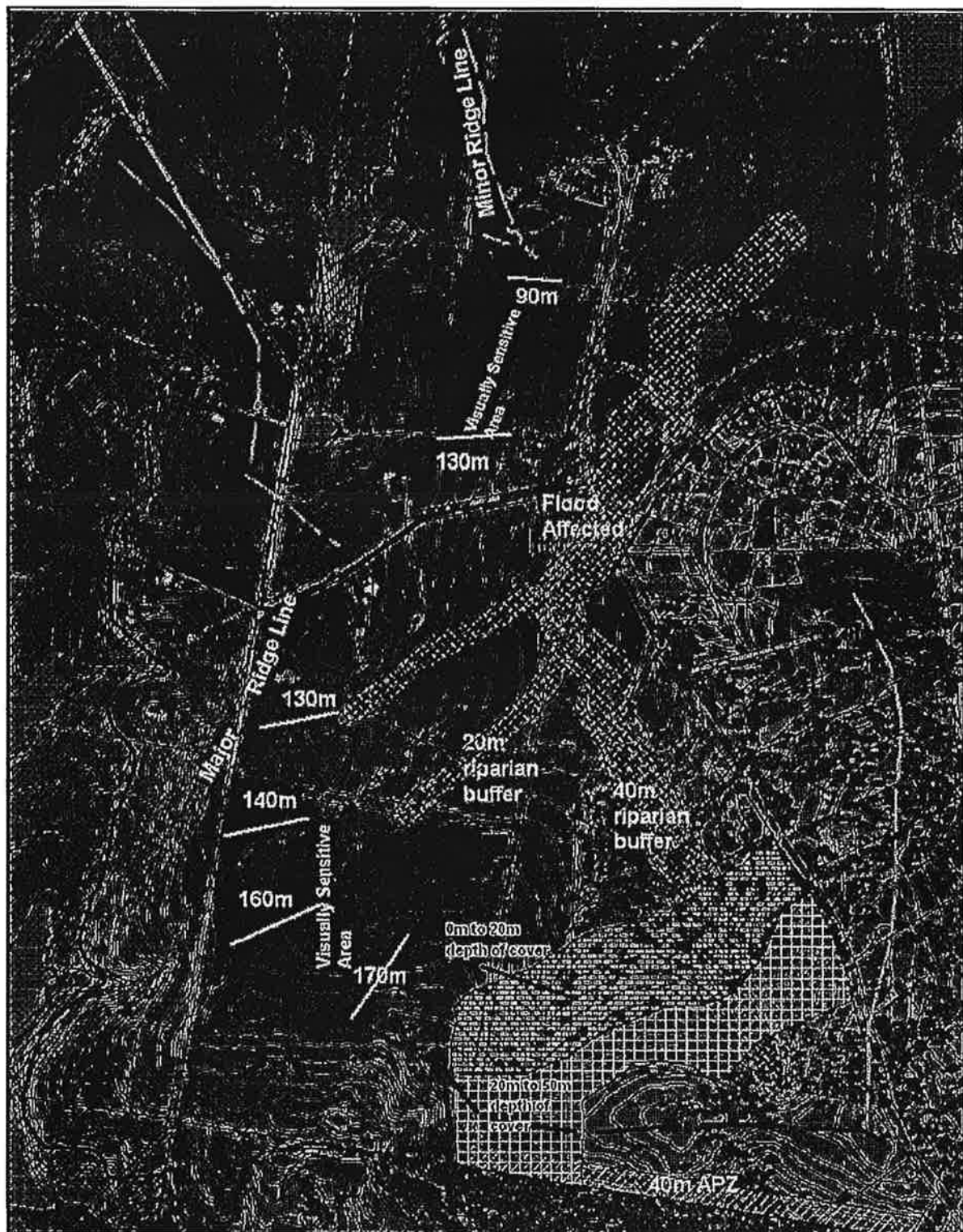
Yours Faithfully



Richard Bennett

BTP (UNSW); BLegS (Macq); MPFA

Certified Practising Planner



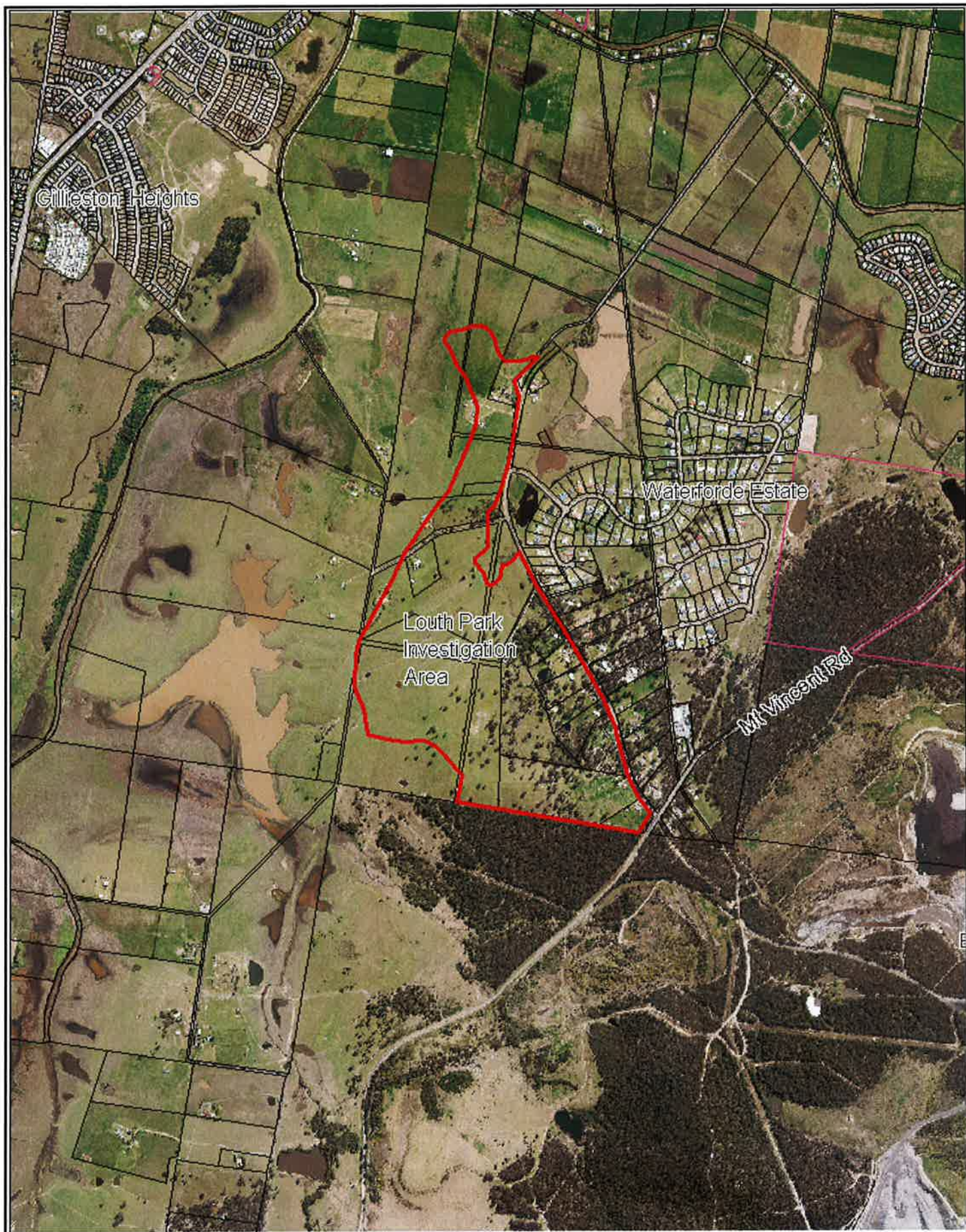
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Printing Date: January 2012



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© LPI 03/03/1997

Attachment 6
Constraints
Map

This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland City Council



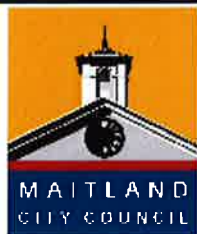
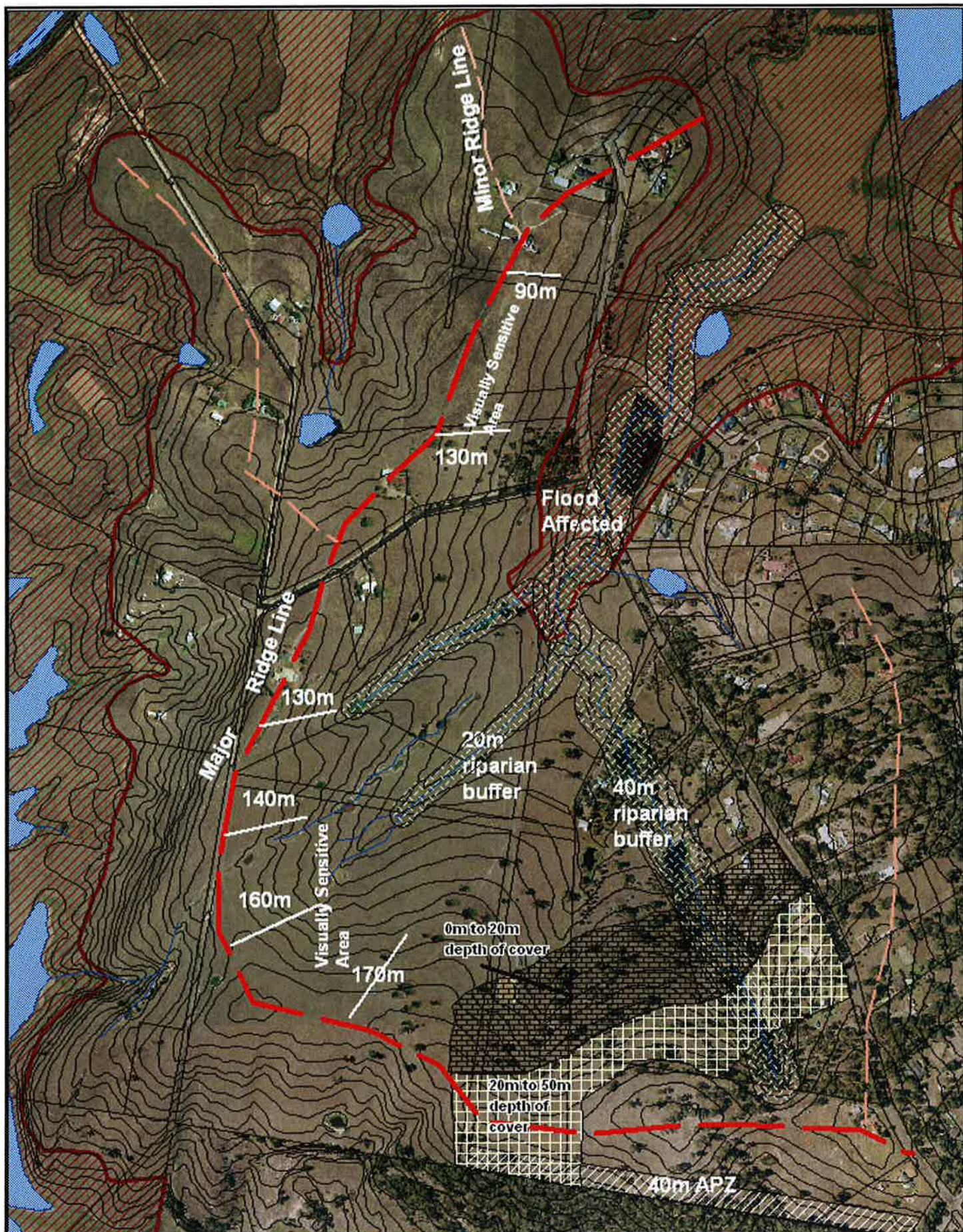
Scale 1 : 000
Printing Date: January 2012

NORTH

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**Attachment 1
Locality Plan
Investigation
Area**



Scale 1 : 000
Printing Date: January 2012

NORTH

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Attachment 6 Constraints Map

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