

**ORDINARY COUNCIL MEETING
22 NOVEMBER 2016**

**CCL 22/11/16
26 EDITH STREET WARATAH (WRIGHTSON RESERVE)
AND RD 20435 - ENDORSEMENT OF PROPOSED AMENDMENT
TO NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012**

Attachment A: Planning Proposal - 26 Edith Street Waratah and RD 20435

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**Reclassification and Rezoning of 26 Edith Street,
Waratah (Wrightson Reserve) and Correction of
Zoning Anomaly at RD 20435**

October 2016

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26 Edith Street, Waratah (Wrightson Reserve) and Part of RD 20435

Summary of Proposal

Proposal	Reclassification of 26 Edith Street Waratah from Community to Operational and rezoning of the site from RE1 Public Recreation to SP2 Health Services Facility. Remove the minimum lot size of 40 hectares. Correct an anomaly in Council's Local Environmental Plan by rezoning the adjacent portion of Edith Street from RE1 Public Recreation to R2 Low Density Residential and apply a minimum lot size, maximum building height and a maximum floor space ratio.
Property Details	Lot 374 DP 755247, 26 Edith Street Waratah Part of RD 20435
Applicant Details	Newcastle City Council 282 King Street NEWCASTLE NSW 2300

Background

In 2010 Council commissioned a review of open space throughout the local government area. The purpose of this study was to identify open space parcels for potential disposal; the review considered 264 parcels of land up to 1.8 hectares in size.

The assessment identified that due to a significant number of constraints only 12 land parcels identified in the open space review could be considered for potential reclassification and disposal. A further parkland assessment was undertaken as part of the preparation of the Parkland and Recreation Strategy that was adopted by Council in March 2014.

Newcastle City Council resolved on 9 December 2014 to further investigate the reclassification, rezoning and sale of six parcels of Council owned land that has been identified as being surplus to Council and community needs. The subject site, 26 Edith Street Waratah, was included in this report.

This planning proposal has been prepared to facilitate the reclassification and rezoning of 26 Edith Street Waratah and to correct a zoning anomaly at RD 20435.

Site

The proposal consists of two sites, 26 Edith Street, Waratah (Wrightson Reserve) described as Lot 374 DP 755247 and a portion of Edith Street adjacent to Wrightson Reserve described as RD 20435.

26 Edith Street Waratah is approximately 5,413m², rectangular in shape and has a 48 metre frontage onto Edith Street. The site slopes from the south west corner to the east (Edith Street). The majority of the site contains mown grass, with denser vegetation (trees, shrubs and grass undergrowth) along the Western boundary. The southern boundary contains a vegetated swale that provides stormwater drainage from the western boundary to a concrete culvert adjacent to Edith Street.

The site is bound to the north by the Calvary Mater Hospital, the 2 storey Mater Institute building and a 4 storey car parking structure running the length of the northern boundary. To the south of the site is Maroba Manor, an assisted living facility comprising low density residential dwellings. To the west of the site is a steep vegetated hillside that rises up to Allowah Street.

RD 20435 is the portion of Edith Street adjacent to 26 Edith Street, Waratah.

(See **Figure 1**: Subject Site).



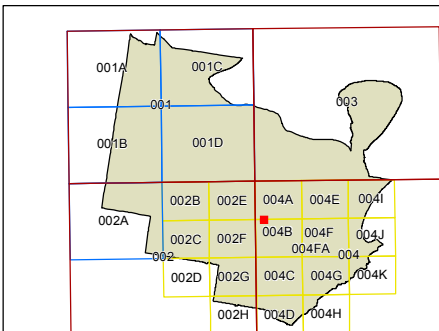
Newcastle Local Environmental Plan 2012

Site Map Planning Proposal PP2016/00003

 Subject Site

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Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997074, Date: 28/10/2016 10:55:30 AM

Figure 1



Part 1 - Objectives or Intended Outcomes

To reclassify and rezone 26 Edith Street Waratah and to correct a zoning anomaly on part of RD 20435.

Part 2 - Explanation of Provisions

It is proposed to amend the Newcastle Local Environmental Plan 2012 by:

- Including the subject land within Part 2 – Land classified or reclassified, as operational land – interests changed within Schedule 4 Classification and reclassification of public land, as follows:
 - a) Column 1 to read “*Waratah*”
 - b) Column 2 to read “Lot 374, DP 755247”.
 - c) Column 3 to read “NIL”
- Amending Map LZN_004B by rezoning Wrightson Reserve from RE1 Public Recreation to Zone SP2 Health Services Facility and amending Map LZN_004B by rezoning RD 20435 from RE1 Public Recreation to Zone R2 Low Density Residential
- Amending Map HOB_004B by including a maximum building height limit of 8.5 metres to RD 20435
- Amending Map FSR_004B to include a maximum permissible floor space ratio of 0.75 to RD 20435
- Amending Map LZN_004B to remove the minimum lot size for Wrightson Reserve and have a minimum lot size of 450m² for RD 20435.

The effect of the proposed amendments is to reclassify 26 Edith Street Waratah from community to operational land and to rezone the land from RE1 Public Recreation to SP2 Health Services Facility and to correct a zoning anomaly for part of RD 20435 to rezone the land from RE1 Public Recreation to R2 Low Density Residential to be consistent with the remainder of Edith Street.

Part 3 – Justification

Section A - Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

The planning proposal is a result of a review of Council owned open space undertaken during the preparation of Council's Parkland and Recreation Strategy, adopted March 2014.

In 2010 Council commissioned a review of open space throughout the local government area. The purpose of this study was to identify open space parcels for potential disposal, the review considered 264 parcels of land up to 1.8 hectares in size.

An 'open space parcel scorecard' was developed as a method of providing advice as to the net community benefit of the parkland. Each land parcel was assessed against five criteria consisting of:

- Accessibility
- Functionality
- Size and shape
- Environment
- Flooding and drainage.

A score of between 1 and 5 was given for each criteria, with all criteria given the same level of importance. The review suggested the potential reclassification and disposal of 38 open space parcels of various sizes subject to further site specific investigations. A detailed review of these short listed parcels was undertaken which assessed the various uses and function of the land, including flooding, drainage, stormwater infrastructure/stormwater role, vegetation; presence of proximity to endangered ecological species, easements and bushfire risk.

The assessment identified that due to a significant number of constraints; only 12 land parcels identified in the open space review could be considered for potential reclassification and disposal. A further parkland assessment was undertaken as part of the preparation of the Parkland and Recreation Strategy that was adopted by Council in March 2014.

Wrightson Reserve has been noted in Council's Parkland and Recreation Strategy as having potential for reclassification and disposal. On 9 December 2014, Newcastle City Council considered a confidential report recommending the sale of six Council owned properties, subject to the land being able to be reclassified and rezoned to permit residential and commercial uses. Following consideration of the report, Council resolved:

- "1. Council endorses all property actions, including the release of Land and Property Reserve funds to meet the associated cost to enable appropriate land zoning and reclassification of the following properties:*
 - a) 4 Mayo Street, Jesmond - Lot 20 DP 230341*
 - b) 26 Edith Street, Waratah - Lot 374 DP 755247*
 - c) 162A Newcastle Road, Wallsend - Lot 110 DP 9755*
- 2. A report is to be presented back to Council following the public exhibition period undertaken as part of the reclassification process.*

3. *Subject to Council's consideration of responses to the public exhibition period (2 above) and any further decision arising from this consideration, should any properties be deemed to be suitable for sale, Council officers should prepare a report to Council on the outcome of the consultation and Council will determine whether sale of these properties is appropriate and the conditions of sale.*
4. *The net proceeds of the sale(s) are to be credited to the Land and Property Reserve and a report be presented to Council proposing local park improvements in accordance with paragraph 17(a) of the report."*

This planning proposal has been prepared in response to the above Council resolution.

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

Yes, amending the Newcastle LEP 2012 is considered the best means of achieving the objectives of the Planning Proposal.

Section B - Relationship to strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 applies to the land. The Plan will guide the NSW Government's land use planning priorities over the next 20 years; the plan provides an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions.

Although this project is small in scale the proposed reclassification and change in zone to 26 Edith Street, Waratah will contribute to generating much needed critical health infrastructure while providing employment opportunities during the construction of any future developments and ongoing through the operation of health related services. The planning proposal is consistent with Goal 1 of the Plan *Leading regional economy in Australia* and Goal 4 *Greater housing choice and jobs*.

4. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Newcastle 2030 Community Strategic Plan

Council adopted the Newcastle 2030 Community Strategic Plan in February 2011, as revised in 2013. The planning proposal primarily aligns to the strategic direction 'Open and Collaborative Leadership' identified within the Newcastle 2030 Community Strategic Plan.

Compliance with the LEP amendment process, in particular section 57 – community consultation of the *Environmental Planning and Assessment (EP&A) Act 1979*, will assist in achieving the strategic objective; "Consider decision-making based on collaborative, transparent and accountable leadership" and the identified strategy 7.2b, which states: "Provide opportunities for genuine and representative community engagement in local decision making".

Local Planning Strategy

The Planning Proposal is consistent with the aims and objectives of the Local Planning Strategy.

Plan of Management for Community Land

The Neighbourhood Parks Plan of Management applies to Wrightson Reserve. The Plan of Management does not contain any specific recommendations for the park.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Consistency (of the planning proposal) with State Environmental Planning Policies is outlined in the table below.

Table 1 - Consideration of State Environmental Planning Policies

Name of SEPP	Applicable	Consistency
State Environmental Planning Policy No 1 (Development Standards)	No	
State Environmental Planning Policy No 14 (Coastal Wetlands)	No	
State Environmental Planning Policy No 19 (Bushland in Urban Areas)	No	
State Environmental Planning Policy No 21 (Caravan Parks)	Yes	Not consistent. Caravan Parks are a permissible use in the RE1 Zone, but not proposed in the SP2 zone. Due to the location and adjoining land use, the site is not suitable for a camping ground of caravan park.
State Environmental Planning Policy No 26 (Littoral Rainforests)	No	
State Environmental Planning Policy No 30 (Intensive Agriculture)	No	
State Environmental Planning Policy No 33 (Hazardous and Offensive Development)	No	
State Environmental Planning Policy No 36 (Manufactured Home Estates)	Yes	The SEPP applies to the entire LGA, however, a manufactured home estate is not proposed for the site.
State Environmental Planning Policy No 44 (Koala Habitat Protection)	Yes	The SEPP applies to the entire LGA, however, the land is urban and does not consist of areas of koala habitat.
State Environmental Planning Policy No 47 (Moore Park Showground)	No	
State Environmental Planning Policy No 50 (Canal Estate Development)	No	
State Environmental Planning Policy No 52 (Farm Dams and Other Works in Land and Water Management Plan Areas)	No	
State Environmental Planning Policy No 55 (Remediation of Land)	Yes	The planning proposal is consistent with SEPP 55. Please refer to section 8 of this report for further details.
State Environmental Planning Policy No 62 (Sustainable Aquaculture)	No	

Name of SEPP	Applicable	Consistency
State Environmental Planning Policy No 64 (Advertising and Signage)	Yes	The SEPP applies to the entire LGA, however the SEPP is not applicable to this planning proposal.
State Environmental Planning Policy No 65 (Design Quality of Residential Flat Development)	No	
State Environmental Planning Policy No 70 (Affordable Housing (Revised Schemes))	No	
State Environmental Planning Policy No 71 (Coastal Protection)	No	
State Environmental Planning Policy (Affordable Rental Housing) 2009	No	
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	No	
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	No	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	No	
State Environmental Planning Policy (Infrastructure) 2007	No	
State Environmental Planning Policy (Integration and Repeals) 2016	No	
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	No	
State Environmental Planning Policy (Kurnell Peninsula) 1989	No	
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	No	
State Environmental Planning Policy (Miscellaneous Consent Provisions)	No	
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	No	
State Environmental Planning Policy (Rural Lands) 2008	No	
State Environmental Planning Policy (State and Regional Development) 2011	No	
State Environmental Planning Policy (State Significant Precincts) 2005	No	
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	No	
State Environmental Planning Policy (Sydney Regional Growth Centres) 2006	No	
State Environmental Planning Policy (Three Ports) 2013	No	
State Environmental Planning Policy (Urban Renewal) 2010	No	
State Environmental Planning Policy (Western Sydney Employment Area) 2009	No	
State Environmental Planning Policy (Western Sydney Parklands) 2009	No	

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Consistency (of the planning proposal) with State Environmental Planning Policies is outlined in the table below.

Table 2 - Consideration of Section 117 Directions

S117 Direction	Applicable	Consistent
1. Employment and Resources		
1.1 Business and Industrial Zones	No	
1.2 Rural Zones	No	
1.3 Mining, Petroleum Production and Extractive Industries	No	
1.4 Oyster Aquaculture	No	
1.5 Rural Lands	No	
2. Environment and Heritage		
2.1 Environment Protection Zones	No	
2.2 Coastal Protection	No	
2.3 Heritage Conservation	No	
2.4 Recreation Vehicle Areas	No	
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	No	
3.2 Caravan Parks and Manufactured Home Estates	Yes	Not consistent for 26 Edith Street Waratah. The RE1 zone permits the development of caravan parks and manufactured home estates, while the SP2 zone does not. However, the inconsistency is considered minor, due to the location of the site and surrounding land uses the site is considered unsuitable for a caravan park or manufactured home estate.
3.3 Home Occupations	No	
3.4 Integrating Land Use and Transport	Yes	Yes, the site is well located to public transport, housing, access to jobs and services.
3.5 Development Near Licensed Aerodromes	No	
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Yes	Not consistent. This inconsistency is considered minor as the subject site is mapped as containing Class 5 soils on the Acid Sulfate Soils Map. Class 5 is the least critical category. Any future development of the site will be required to address acid sulfate soil management.
4.2 Mine Subsidence and Unstable Land	No	

S117 Direction	Applicable	Consistent
4.3 Flood Prone Land	No	
4.4 Planning for Bushfire Protection	No	
5. Regional Planning		
5.1 Implementation of Regional Strategies	Yes	Consistent. The Hunter Regional Plan 2036 applies and the planning proposal is consistent with this strategy.
5.2 Sydney Drinking Water Catchments	No	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	No	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	No	
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	No	
5.8 Second Sydney Airport: Badgerys Creek	No	
5.9 North West Rail Link Corridor Strategy	No	
5.10 Implementation of Regional Plans	Yes	Consistent. The Hunter Regional Plan 2036 applies and the planning proposal is consistent with this strategy.
6. Local Plan Making		
6.1 Approval and Referral Requirements	Yes	
6.2 Reserving Land for Public Purposes	Yes	Consistent. The planning proposal does propose to reduce the land zoned and reserved for public purposes. Therefore, the approval of the relevant public authority and Secretary of the Department of Planning and Environment to reclassify land is being sought in accordance with Section 56 of the <i>Environmental Planning and Assessment Act 1979</i> .
6.3 Site Specific Provisions	Yes	Yes, the planning proposal proposed to rezone the site to an existing zone already in the NLEP 2012.
7. Metropolitan Planning		
7.1 Implementation of a Plan for Growing Sydney	No	
7.2 Implementation of Greater Macarthur Land Release Investigation	No	

The Department of Planning and Environment's Practice Note PN 16-001 includes a checklist for proposals to classify or reclassify public land through an LEP. The information required to be addressed in the checklist for 26 Edith Street Waratah is included in the table below:

Criteria	Comment
The current and proposed classification of the land.	Current: Community Proposed: Operational
Whether the land is a 'public reserve' (defined in the LG Act).	Yes the land is defined as a public reserve under the Local Government Act.
The strategic and site specific merits of the reclassification and evidence to support this.	Refer to Part 3 (Justification) of the planning proposal for further information.
Whether the planning proposal is consistent with Council's community plan or other local strategic plan.	Yes the planning proposal is consistent with Council's strategies.
A summary of Council's interests in the land: - How and when the land was first acquired - If council does not own the land, the land owners consent - The nature of any trusts, dedications etc.	The land was declared to be Public Reserve and vested in the Council in pursuance of the provisions of Section 37AAA of the <i>Crown Lands Consolidation Act, 1913</i> by notification in Government Gazette No. 41 on 26 March 1976. There are no other trusts or dedications.
Whether any interest in land is proposed to be discharged and if so an explanation of the reasons why.	There are no known easements or other encumbrances affecting the site.
The effect the reclassification (including the loss of public open space, the land ceased to be a public reserve or particular interests will be discharged).	The effect of the reclassification is to enable the sale of the land. The land is currently vacant with no embellishments and not part of Council's formally managed parklands.
Evidence of public reserve status or relevant interests, or lack thereof applying to the land. (eg. electronic searches, notice in Government Gazette, trust documents).	A copy of the notice from Government Gazette No. 41 is provided as an attachment to the planning proposal.
Current use(s) of the land and whether uses are authorised or unauthorised.	No formal usage or visitation data is available, however the site is likely to be used for occasional informal uses such as off leash dog exercise area and as ball 'kick around' space. There are no formal authorised uses (such as leases with sporting clubs). The site is unembellished and therefore does not contain any infrastructure such as tables or chairs, toilets or children's playground equipment.
Current or proposed lease or agreements applying to the land, together with their duration, terms and controls.	Nil
Current or proposed business dealings (eg. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time).	There are no formal agreements in place for the possible future sale of the land but an adjacent owner has approached Council about same.
Any rezoning associated with reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or Strategy).	The site is proposed to be rezoned from RE1 Public Recreation to SP2 Health Services Facility. Please refer to Part 3 (justification) of the planning proposal for further information.

Criteria	Comment
How Council may or will benefit financially, and how these funds will be used.	The funds received by Council from the future sale of the land will be held in the Land and Property Reserve. The funds will be used to fund open space improvements within the Waratah-North Lambton planning district primarily at Braye Park and Waratah Park.
How Council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal.	The funds from the sale of land will be held in Council's Land and Property Reserve.
A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot.	N/A
Preliminary comments by a relevant government agency, including an agency that dedicated the land to Council, if applicable.	N/A

Section C - Environmental, social, and economic impact

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

26 Edith Street Waratah and RD 20435 are within an established urban environment and vegetation on both sites is limited. 26 Edith Street comprises mainly mown grass with denser vegetation (trees, shrubs and grass undergrowth) on the western boundary and a vegetated swale located on the southern boundary. RD 20435 is part of Edith Street and therefore contains no vegetation.

Further investigation into the vegetation located on the rear of 26 Edith Street Waratah will be undertaken at development assessment stage.

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

Mine Subsidence

The site is not located within a Mine Subsidence District.

Hydrology and Water Management

The site is not located within a flood prone area, although does contain two vegetated drainage channels located on the western and southern boundaries. The channels direct overland flows to a culvert in the south eastern corner of the site adjacent to Edith Street. If 26 Edith Street is redeveloped a solution would be required to address where the overland water would go. Onsite detention basins may be required to be incorporated into future developments to ensure stormwater run off is treated on site and not diverted into Edith Street.

Bushfire

According to Newcastle Bush Fire Hazard Map (2009) the land is not affected by bushfire risk or in the vicinity of such a risk.

Heritage

There are no listed items of environmental heritage on site or in the vicinity of the site.

Contamination

The subject site is not identified as being contaminated within Council's Contaminated Lands Database. However, as 26 Edith Street Waratah is proposed to be rezoned to allow a health services facility, a preliminary site investigation has been undertaken by Douglas Partners pursuant to State Environmental Planning Policy No. 55 - Remediation of Land.

The preliminary site investigation concluded:

- The potential for site contamination from off-site sources is considered to be low
- The potential contaminates associated with importing fill and localised opportunistic dumping would depend on the source of the material which is unknown
- The identified potential sources of contamination are considered to be readily amenable to remediation through conventional remediation approaches and possible integration with the proposed future development.
- The site is considered suitable for the proposed rezoning, subject to appropriate investigations and remediation (where required).

Douglas Partners also recommends the following with regard to the proposed rezoning and future redevelopment:

- Subsurface investigation and testing of soil/filling to assess the possible presence, extent and implications of potential contaminants with respect to the proposed rezoning and future redevelopment.

Traffic Impacts and Vehicular and Pedestrian Access

26 Edith Street Waratah has a 48 metre frontage to Edith Street, which will allow vehicular and pedestrian access to the site. Due to the proximity of the site to the signalised intersection of Platt Street, future development applications will be required to undertake a detailed traffic study to determine the most suitable entry and exit points to the site.

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

Social

The proposed reclassification and change of zone will result in a loss of open space within the Waratah – North Lambton Planning Catchment. The loss of open space is proposed to be offset by improving the quality of other parkland in the locality for the community likely affected by the proposed sale of Wrightson Reserve.

The funds from the sale of Wrightson Reserve are proposed to fund open space improvements at Braye Park and Waratah Park.

Economic

The reclassification of the land and proposed future sale of the land will remove the existing maintenance and liability cost burden to Council. The proposed sale of 26 Edith Street will fund improvements to surrounding open space areas in the Waratah – North Lambton Planning Catchment.

Newcastle Council Public Land Reclassification Policy 2000

Council's Public Land Reclassification Policy 2000 applies to all proposals reclassifying public land from community to operational. The planning proposal has been assessed against Council's Policy, see below:

Issue	Comment
Step 1: Are there any significant public issues affecting the land	
Biodiversity Conservation	N/A
Significant natural features	The land does not contain any significant natural features.
Cultural significance	The land does not contain items of cultural significance
Public health and safety	The site has been filled and some contamination has been found on site. The remediation of the contamination can be appropriately addressed at development assessment stage.
Public access	The land does not contain any pathways or other Council facilities. Access is from Edith Street.
Special legal status	The land is designated as a 'public reserve'
Proceed to step 2?	No significant public interests have been raised: therefore the proposal may proceed to Step 2.
Step 2: Will there be a net positive benefit for the community?	
Financial impact	The proposal will have a positive financial impact on Council. Council will have the option of selling at market value. If the land is sold, Council will not be responsible for the ongoing maintenance costs or liability for the site. Proceeds from any sale of the land will be used to fund improvements to open space areas in the Waratah – North Lambton Planning Catchment.
Land Management Impact	The proposal will have a positive benefit on Council's ability to manage nearby community land. Funds from the sale of the site will be reserved for open space improvements in the Waratah-North Lambton Planning Catchment.
Impact on Community Uses and Opportunities	The planning proposal will result in a reduction in open space. However, the sale of the site will allow for open space improvements in the local area.
Impact on enjoyment of community land	The proposed sale of 26 Edith Street Waratah, will have an impact on the amount of open space in the local area. However, this impact will be offset by improvements to other local open space and recreation areas.

Issue	Comment
Social Impact	The proposed reclassification and change of zone will result in a loss of open space within the Waratah – North Lambton Planning Catchment. The loss of open space is proposed to be offset by improving the quality of parkland for the community likely affected by the proposed sale of Wrightson Reserve.
Economic Impact	The reclassification of the land and proposed future sale of the land will remove the existing maintenance and liability cost burden to Council. The proposed sale of 26 Edith Street will fund improvements to surrounding open space areas in the Waratah – North Lambton Planning Catchment.

Section D - State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The subject site is within an established urban area, with available connection to all necessary service, such as water, electricity phone and internet. The site also has good access to public transport and is well connected to existing medical services and the university.

Any additional requirements for services can be addressed at the development application stage.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No other State and Commonwealth public authorities have been consulted at this stage but will be carried out in accordance with the requirements of the gateway determination.

Part 4 – Mapping

The planning proposal seeks to amend the following maps within Newcastle LEP 2012.

- Land Zoning Map
- Height of Buildings Map
- Floor Space Ratio Map
- Minimum Lot Size Map
- Land Classification Map

The Matrix below indicates (with an “X”), which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (eg. FSR_001C)

	FSR	LAP	LZN	WRA	ASS	HOB	LSZ	LRA	CL1	HER	URA
001											
001A											
001B											
001C											
001D											
002											
002A											
002B											
002C											
002D											
002E											
002F											
002G											
002H											
003											
004											
004A											
004B	X		X			X	X				
004C											
004D											
004E											
004F											
004FA											
004G											
004H											
004I											
004J											
004K											

Map Codes:	FSR	=	Floor Space Ratio map
	LAP	=	Land Application Map
	LZN	=	Land Zoning Map
	WRA	=	Wickham Redevelopment Area Map
	ASS	=	Acid Sulfate Soils Map
	HOB	=	Height of Buildings Map
	LSZ	=	Lot Size Map
	LRA	=	Land Reservation Acquisition Map
	CL1	=	Key Sites Map & Newcastle City Centre Map
	HER	=	Heritage Map
	URA	=	Urban Release Area Map

The following maps illustrate the proposed amendments to the Newcastle LEP 2012 maps:

- **Figure 2:** Existing Land Zoning Map
- **Figure 3:** Proposed Land Zoning Map
- **Figure 4:** Existing Max Height of Buildings Map
- **Figure 5:** Proposed Max Height of Buildings Map
- **Figure 6:** Existing Max Floor Space Ratio Map
- **Figure 7:** Proposed Max Floor Space Ratio Map
- **Figure 8:** Existing Min Lot Size Map
- **Figure 9:** Proposed Min Lot Size Map

Furthermore the following maps illustrate the land proposed to be reclassified as a result of amending Schedule 4 - 'Classification and reclassification of public land':

- **Figure 10:** Existing Land Classification
- **Figure 11:** Proposed Land Classification

Existing Land Zoning Map

Planning Proposal PP2016/00003

- Subject Site
- ZONE

B1

Neighbourhood Centre

B2

Local Centre

B3

Commercial Core

B4

Mixed Use

B5

Business Development

E1

National Parks and Nature Reserves

E2

Environmental Conservation

E3

Environmental Management

E4

Environmental Living

IN1

General Industrial

IN2

Light Industrial

IN3

Heavy Industrial

R2

Low Density Residential

R3

Medium Density Residential

R4

High Density Residential

RE1

Public Recreation

RE2

Private Recreation

SP2

Infrastructure

W2

Recreational Waterways

UL

Unzoned Land

Cadastre

Base data 01/08/2007 copyright Land and Property Information (LPI), addendum data 27/10/2016 copyright Newcastle City Council

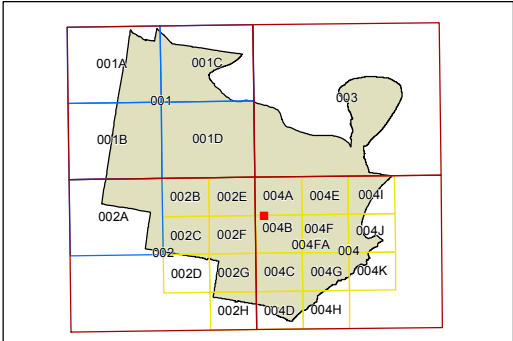
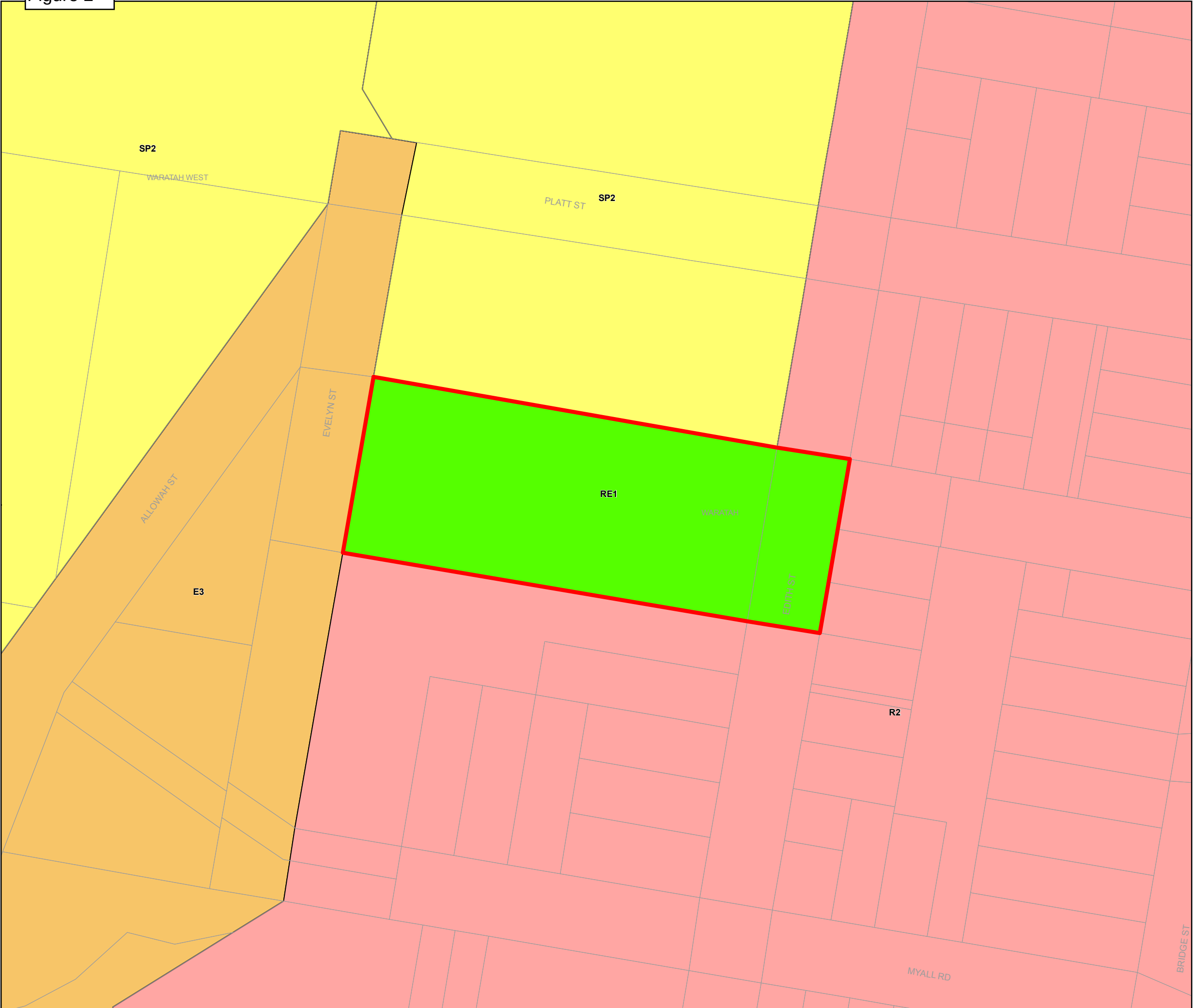


Figure 2



Proposed Land Zoning Map

Planning Proposal PP2016/00003

Subject Site

ZONE

B1

Neighbourhood Centre

B2

Local Centre

B3

Commercial Core

B4

Mixed Use

B5

Business Development

E1

National Parks and Nature Reserves

E2

Environmental Conservation

E3

Environmental Management

E4

Environmental Living

IN1

General Industrial

IN2

Light Industrial

IN3

Heavy Industrial

R2

Low Density Residential

R3

Medium Density Residential

R4

High Density Residential

RE1

Public Recreation

RE2

Private Recreation

SP2

Infrastructure

SP3

Tourist

W2

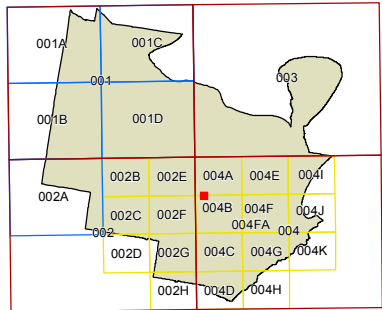
Recreational Waterways

UL

Unzoned Land

Cadastral

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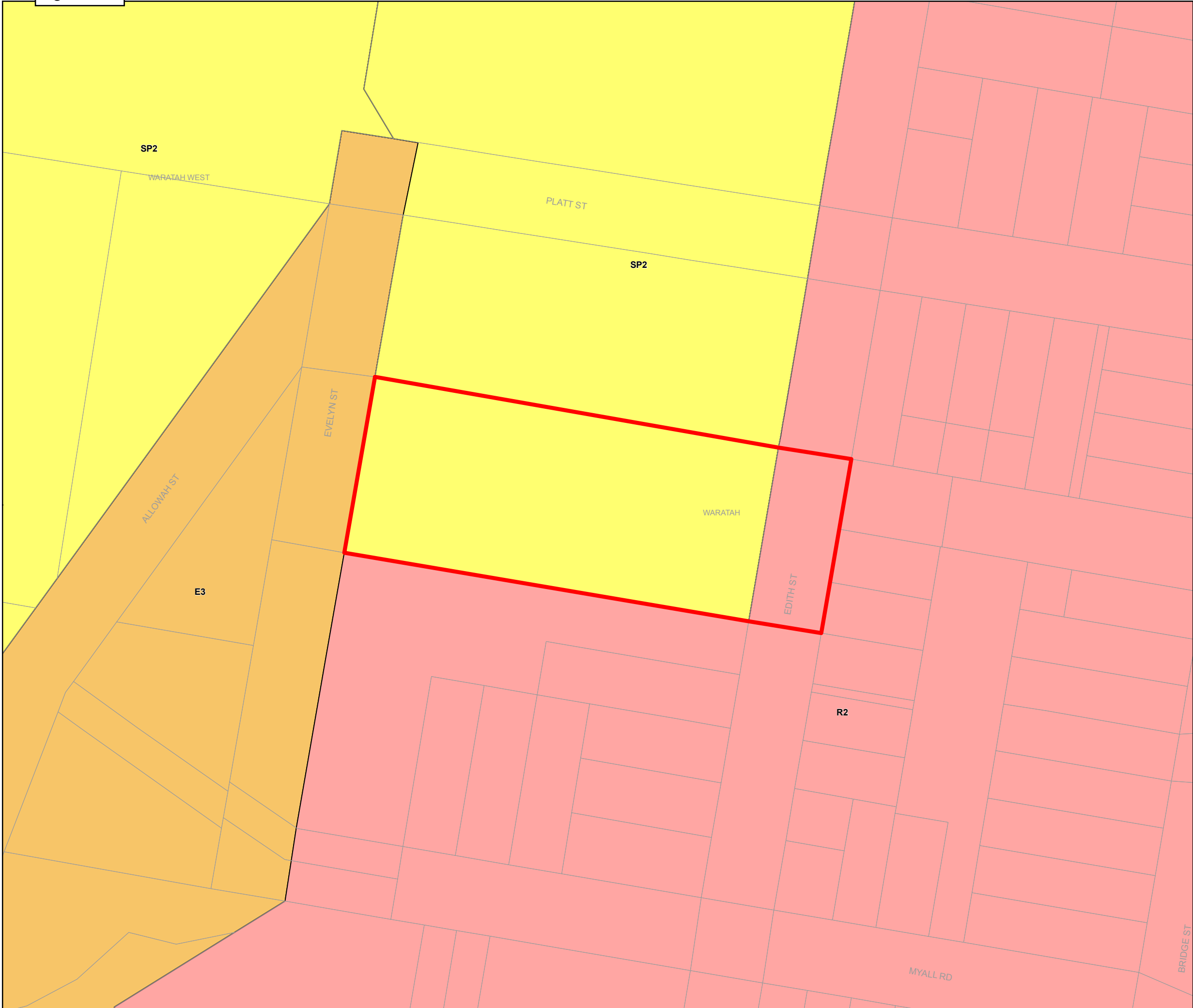
N

Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997115, Date: 27/10/2016 4:27:48 PM

Figure 3



Existing Height of Buildings Map
Planning Proposal PP2016/00003

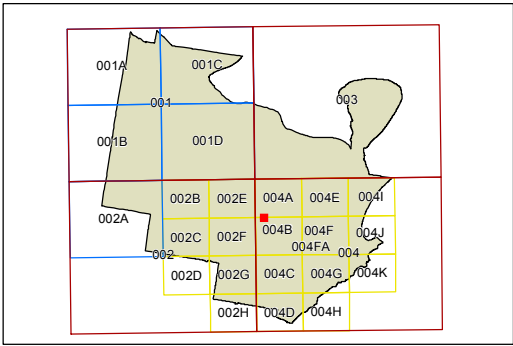
Subject Site

Maximum Building Height (m)

I	8.5
K	10
L	11
M	12
N	14
P1	17
P2	18
Q	20
R	21
S	24
T	27
U	30
V	35
X	45
AA	60
AB	90
RL1	0 - 20
RL2	20 - 40
RL3	40 - 60

Cadastre

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Information (LPI), addendum data
28/10/2016 copyright Newcastle City Council



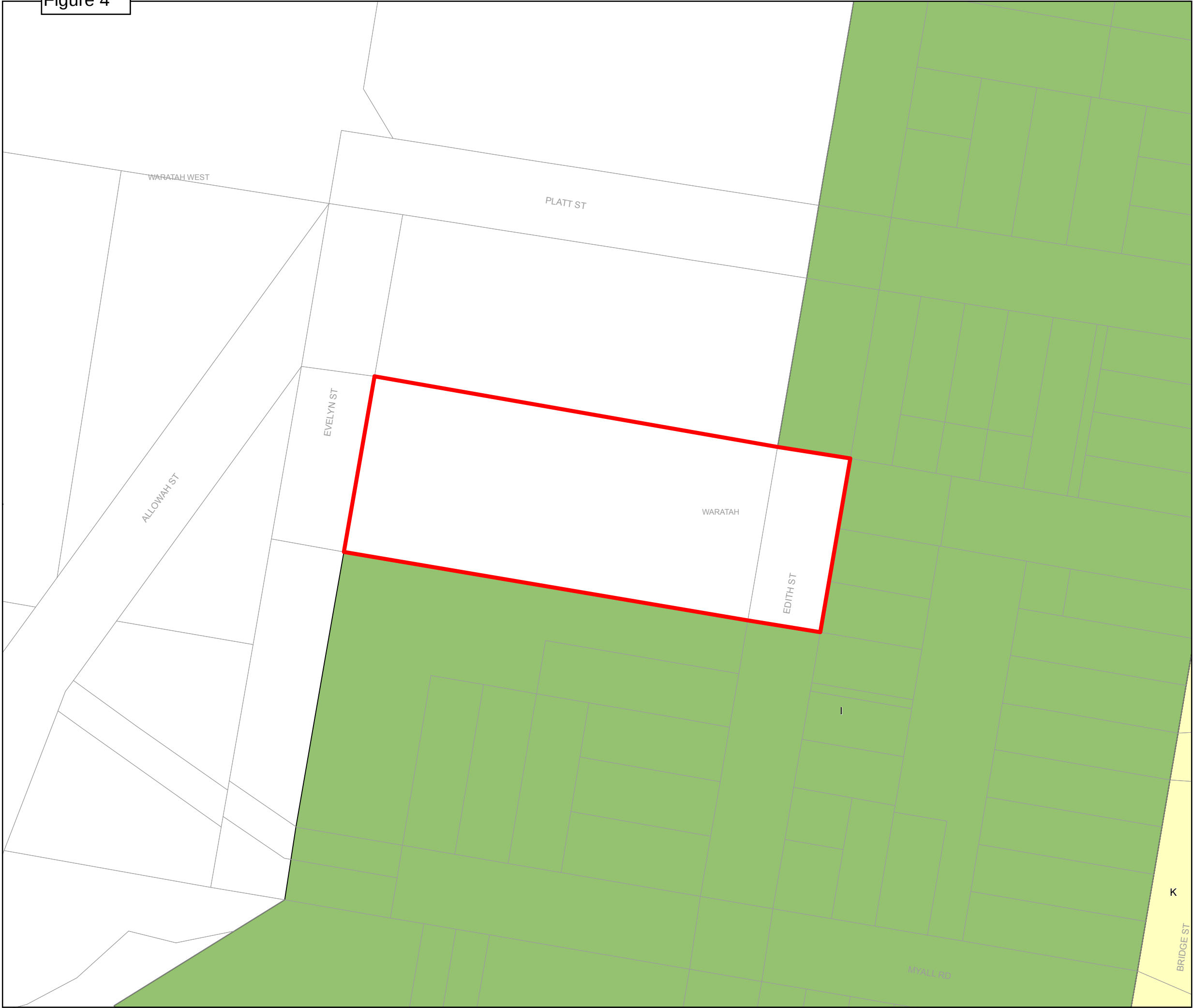
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Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997067, Date: 28/10/2016 10:44:53 AM

Figure 4



Proposed Height of Buildings Map

Planning Proposal PP2016/00003

Subject Site

Maximum Building Height (m)

I8.5

K10

L11

M12

N14

O15

P117

P218

Q20

R21

S24

T27

U30

V35

X45

AA60

AB90

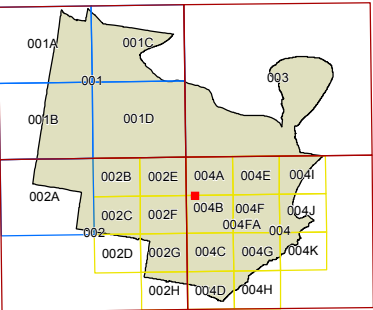
RL10 - 20

RL220 - 40

RL340 - 60

Cadastre

Base data 01/08/2007 copyright Land and Property Information (LPI), addendum data 28/10/2016 copyright Newcastle City Council



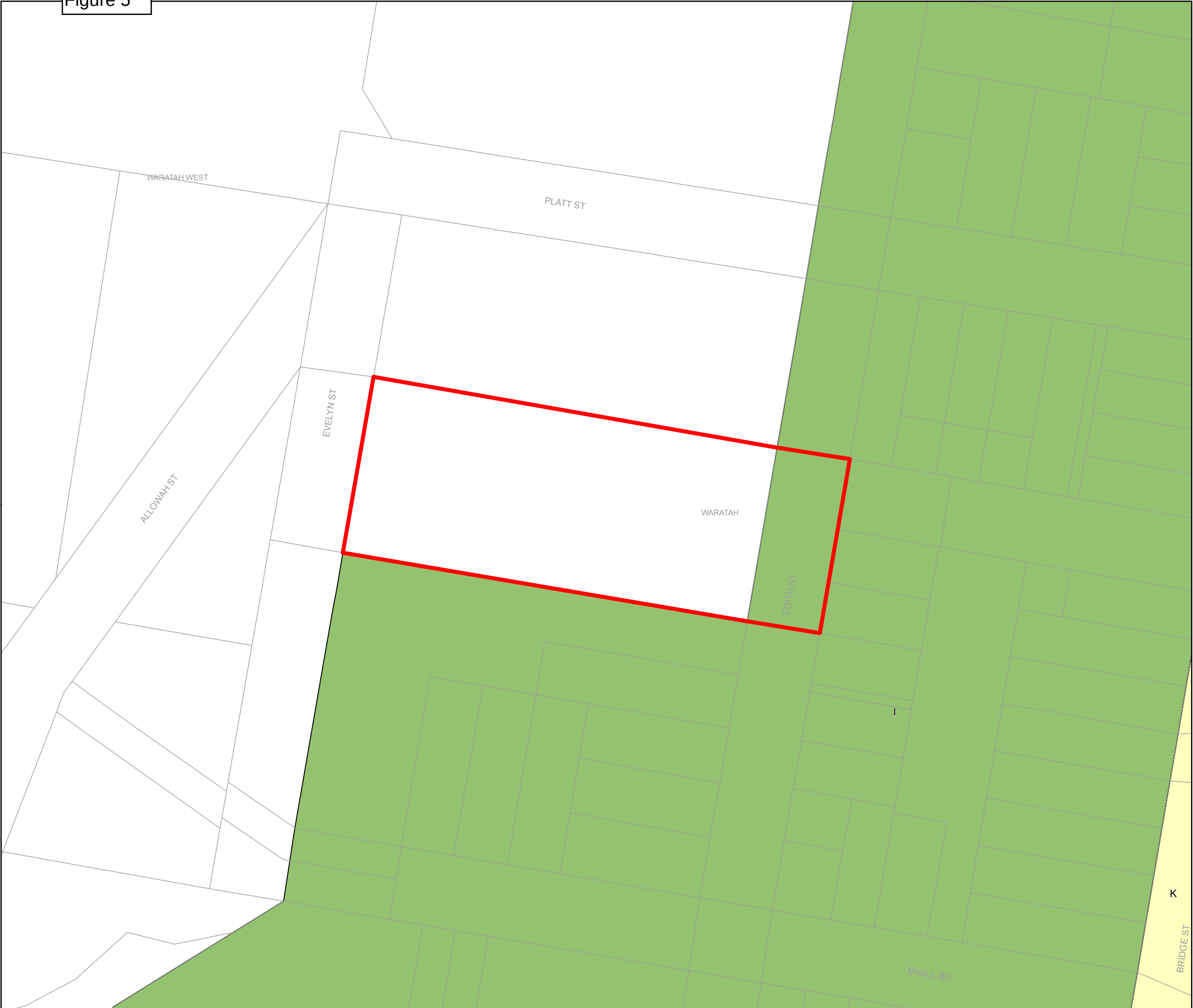
N

Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

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Figure 5



Document Set ID: 5002802

Version: 2, Version Date: 08/11/2016

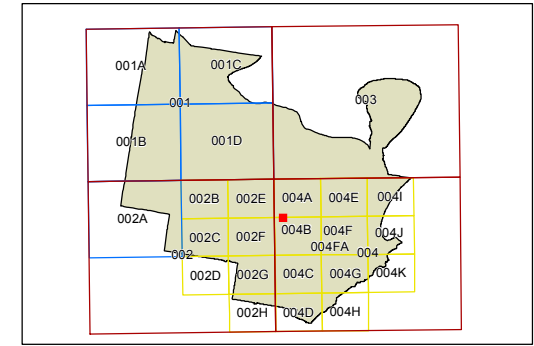


Newcastle Local
Environmental
Plan 2012

Existing Floor Space Ratio Map
Planning Proposal PP2016/00003

-  Subject Site
- Maximum Floor Space Ratio (n:1)**
- | | |
|---|------|
|  F | 0.6 |
|  I | 0.75 |
|  L | 0.9 |
|  N | 1 |
|  S | 1.5 |
|  T | 2 |
|  U | 2.5 |
|  V | 3 |
|  X | 4 |
|  Z | 5 |
|  AA | 6 |
|  AC | 8 |

Cadastral Base data 01/08/2007 copyright Land and Property
Information (LPI), addendum data
27/10/2016 copyright Newcastle City Council

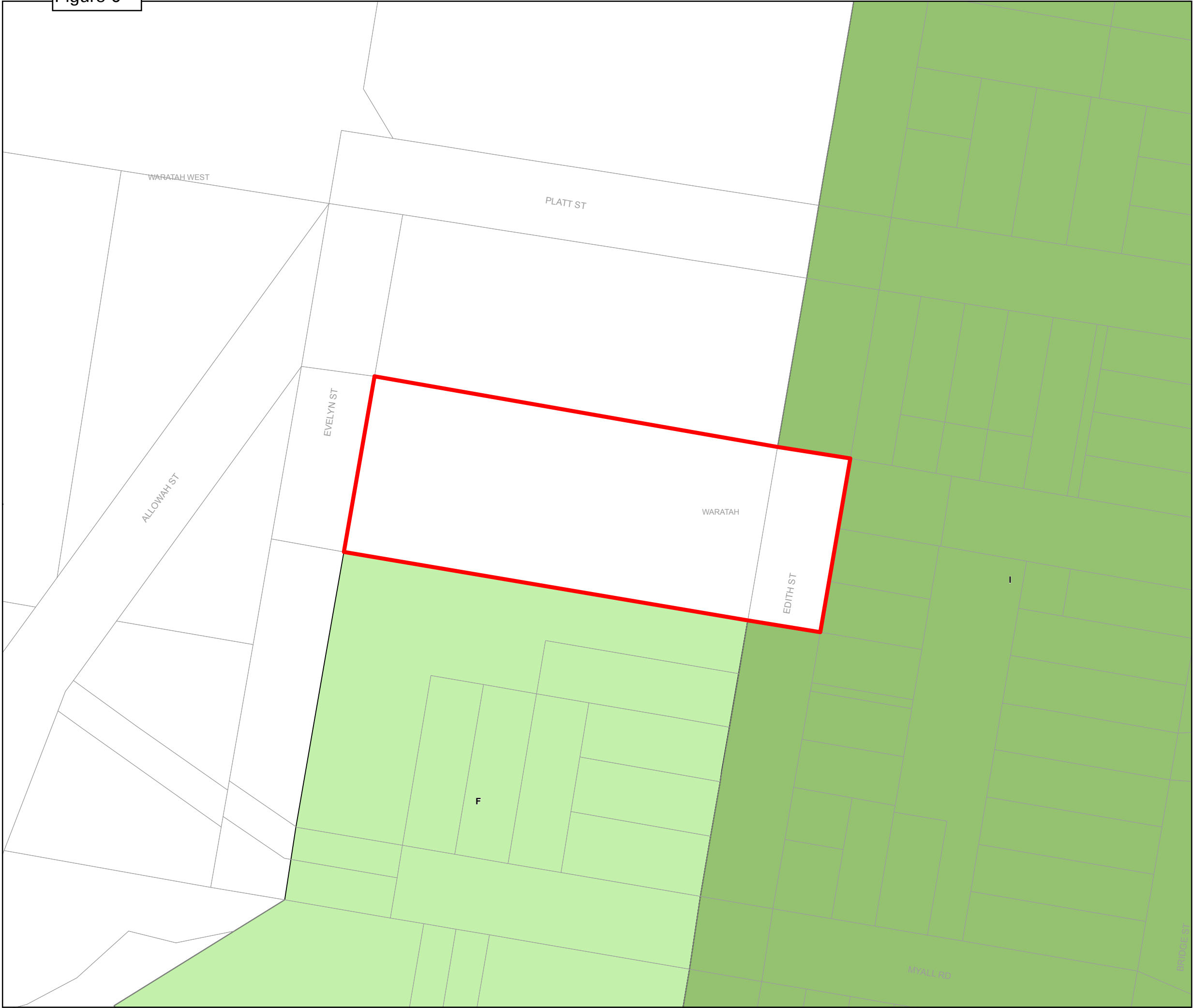


Projection: GDA 1994
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Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997069, Date: 27/10/2016 4:23:14 PM

Figure 6



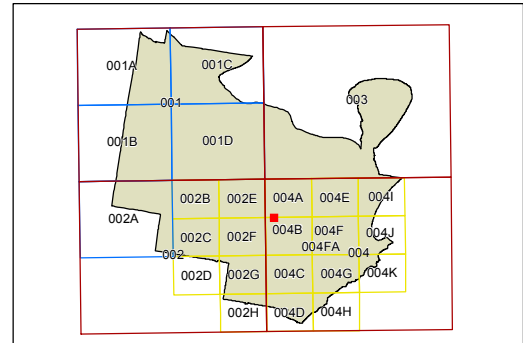


Newcastle Local
Environmental
Plan 2012

Proposed Floor Space Ratio Map
Planning Proposal PP2016/00003

-  Subject Site
- Maximum Floor Space Ratio (n:1)**
- | | |
|---|------|
|  F | 0.6 |
|  I | 0.75 |
|  L | 0.9 |
|  N | 1 |
|  S | 1.5 |
|  T | 2 |
|  U | 2.5 |
|  V | 3 |
|  X | 4 |
|  Z | 5 |
|  AA | 6 |
|  AC | 8 |

Cadastre Base data 01/08/2007 copyright Land and Property
Information (LPI), addendum data
27/10/2016 copyright Newcastle City Council

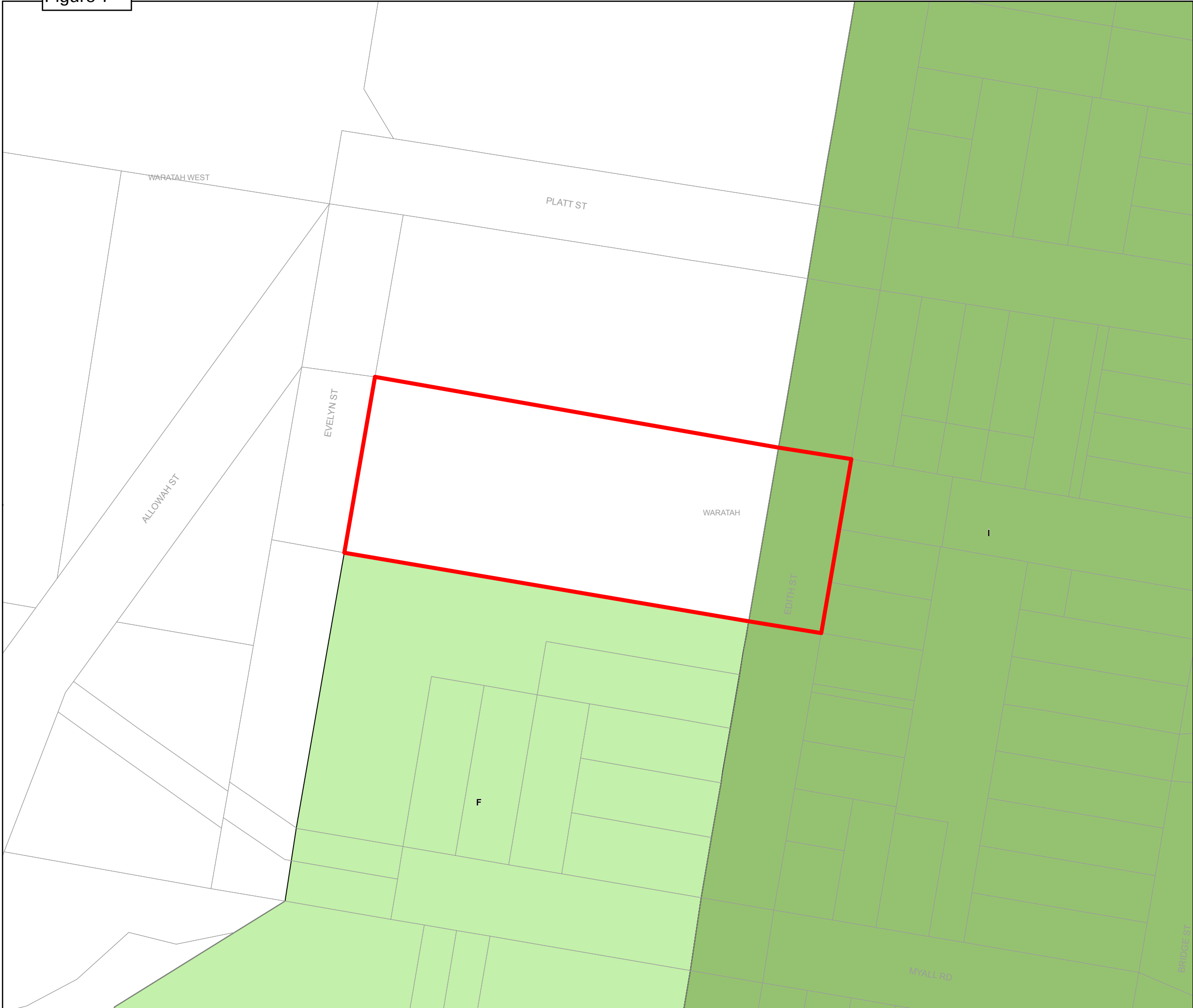


Projection: GDA 1994
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Figure 7



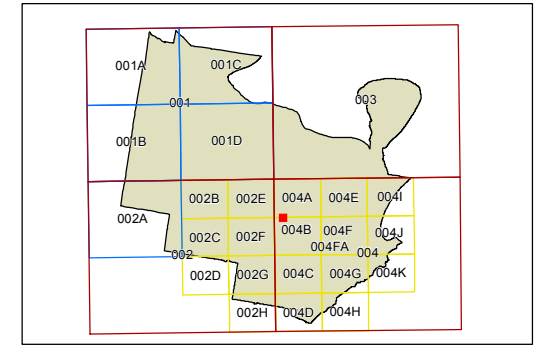


Newcastle Local
Environmental
Plan 2012

Existing Minimum Lot Size Map
Planning Proposal PP2016/00003

-  Subject Site
- Minimum Lot size (sq m)**
-  C 250
 -  F 400
 -  G 450
 -  U 000
 -  W 4000
 -  Z 20000 (2ha)
 -  AB 400000 (40ha)

Cadastre Base data 01/08/2007 copyright Land and Property
Information (LPI), addendum data
28/10/2016 copyright Newcastle City Council

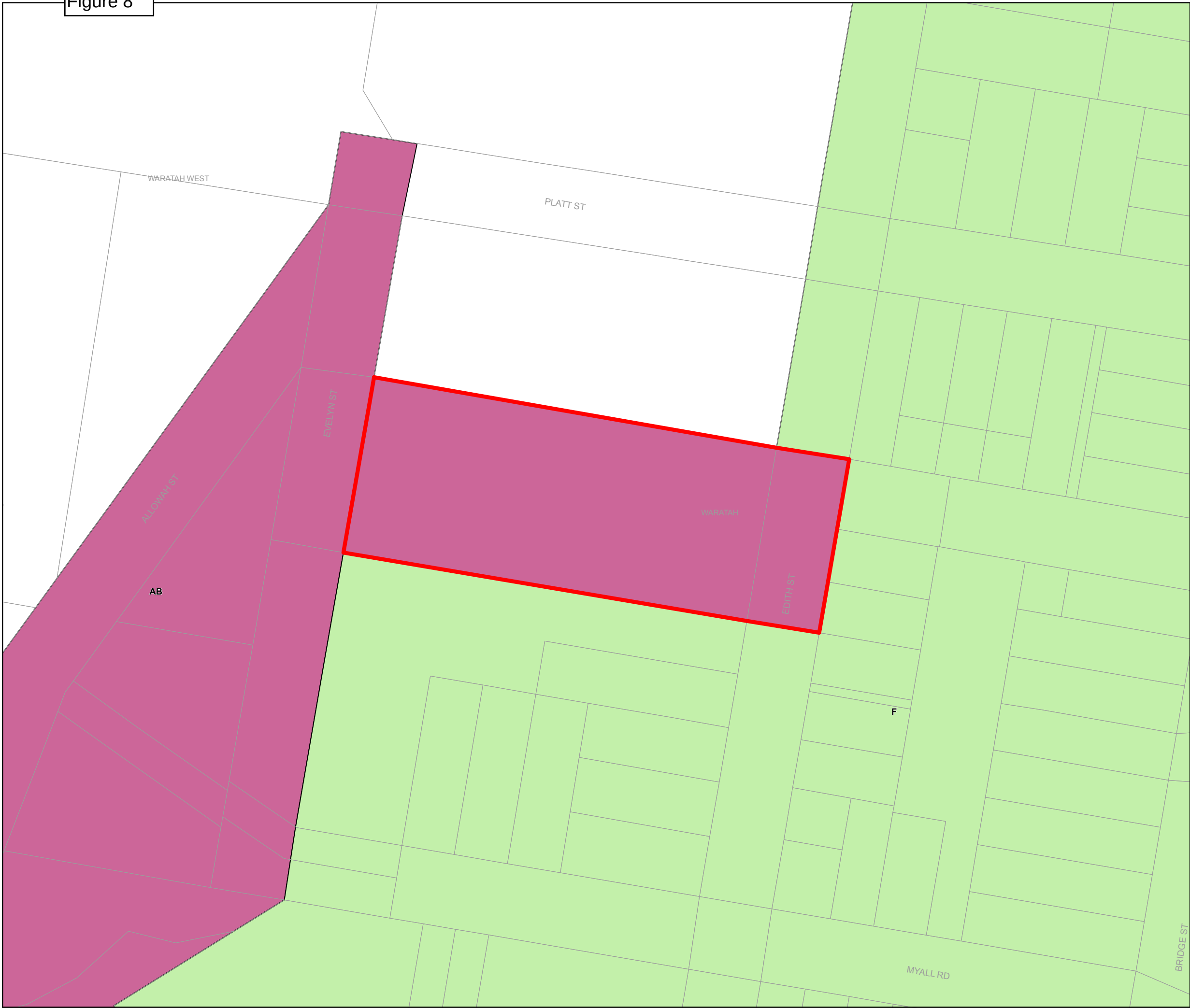


Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997076, Date: 28/10/2016 10:51:03 AM

Figure 8



Proposed Minimum Lot Size Map
Planning Proposal PP2016/00003


Subject Site

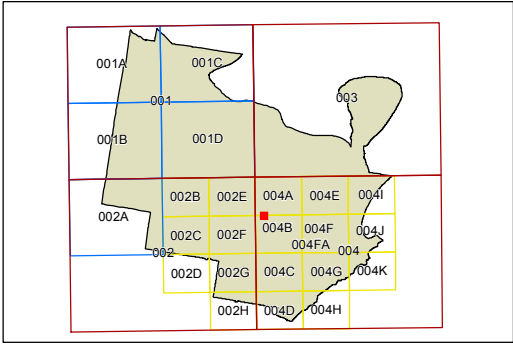
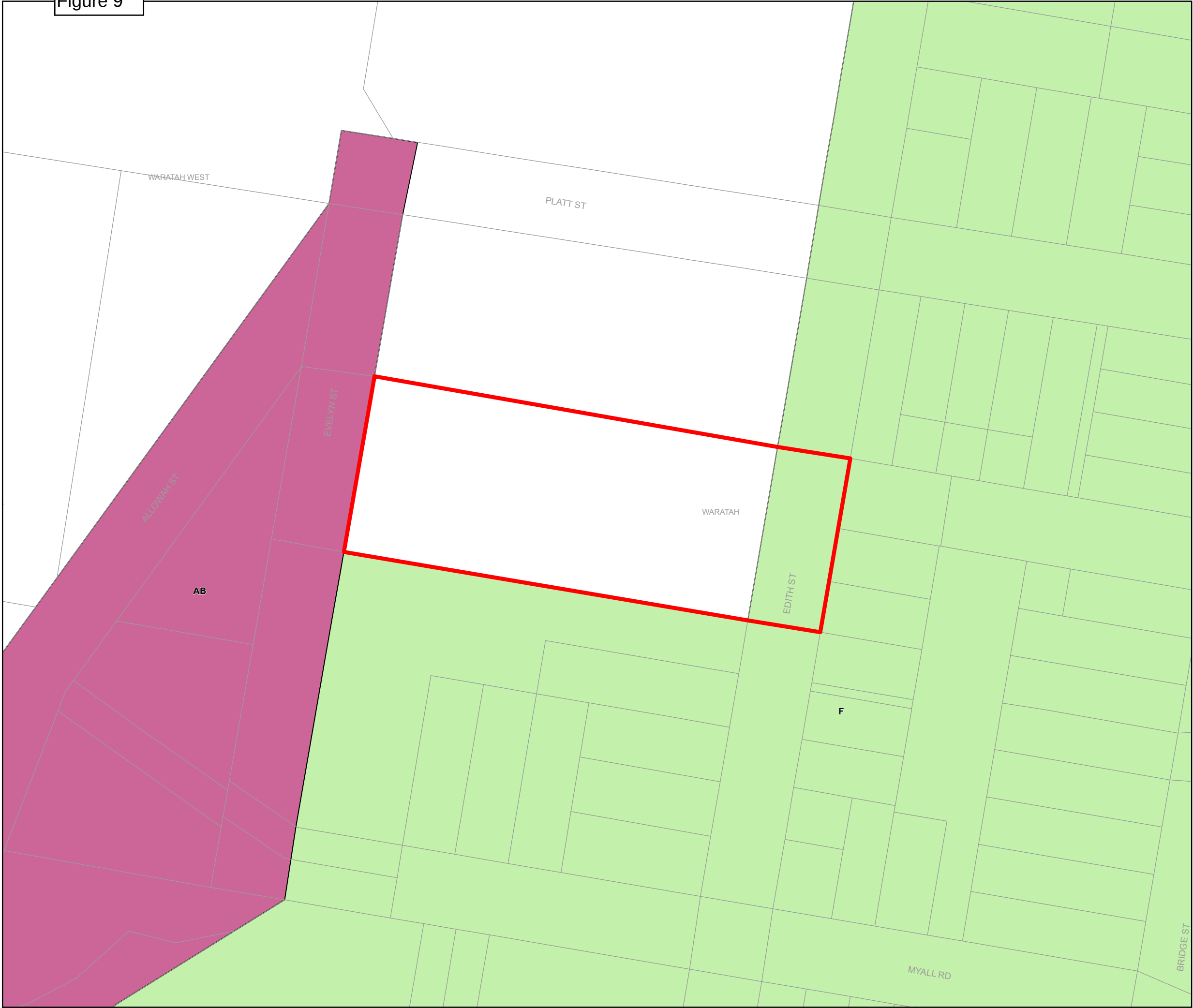
Minimum Lot size (sq m)

C	250
F	400
G	450
U	000
W	4000
Z	20000 (2ha)
AB	400000 (40ha)

Cadastre

Base data 01/08/2007 copyright Land and Property Information (LPI), addendum data 28/10/2016 copyright Newcastle City Council

Figure 9



Existing Land Classification
Planning Proposal PP2016/00003

Subject Site

Operational Land

Community Land

Crown Land - Reserve Trust Manager

Misc Land - Lease to Council

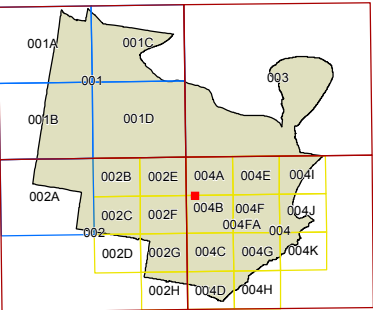
Misc Community Land - Not Council Owned

Cadastral

Base data 01/08/2007 copyright Land and Property Information (LPI), addendum data 28/10/2016 copyright Newcastle City Council

Figure 10





N

Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997074, Date: 28/10/2016 1:22:32 PM

**Proposed Land Classification
Planning Proposal PP2016/00003**

Subject Site

Operational Land

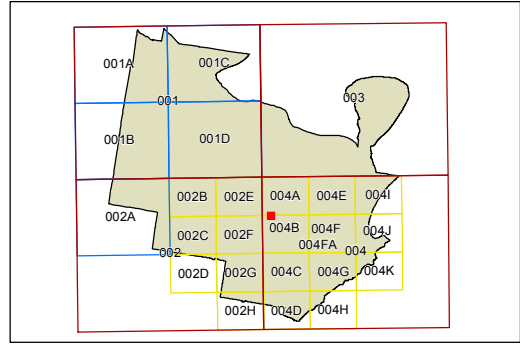
Community Land

Crown Land - Reserve Trust Manager

Misc Land - Lease to Council

Misc Community Land - Not Council Owned

Cadastral Base data 01/08/2007 copyright Land and Property Information (LPI), addendum data 2/11/2016 copyright Newcastle City Council



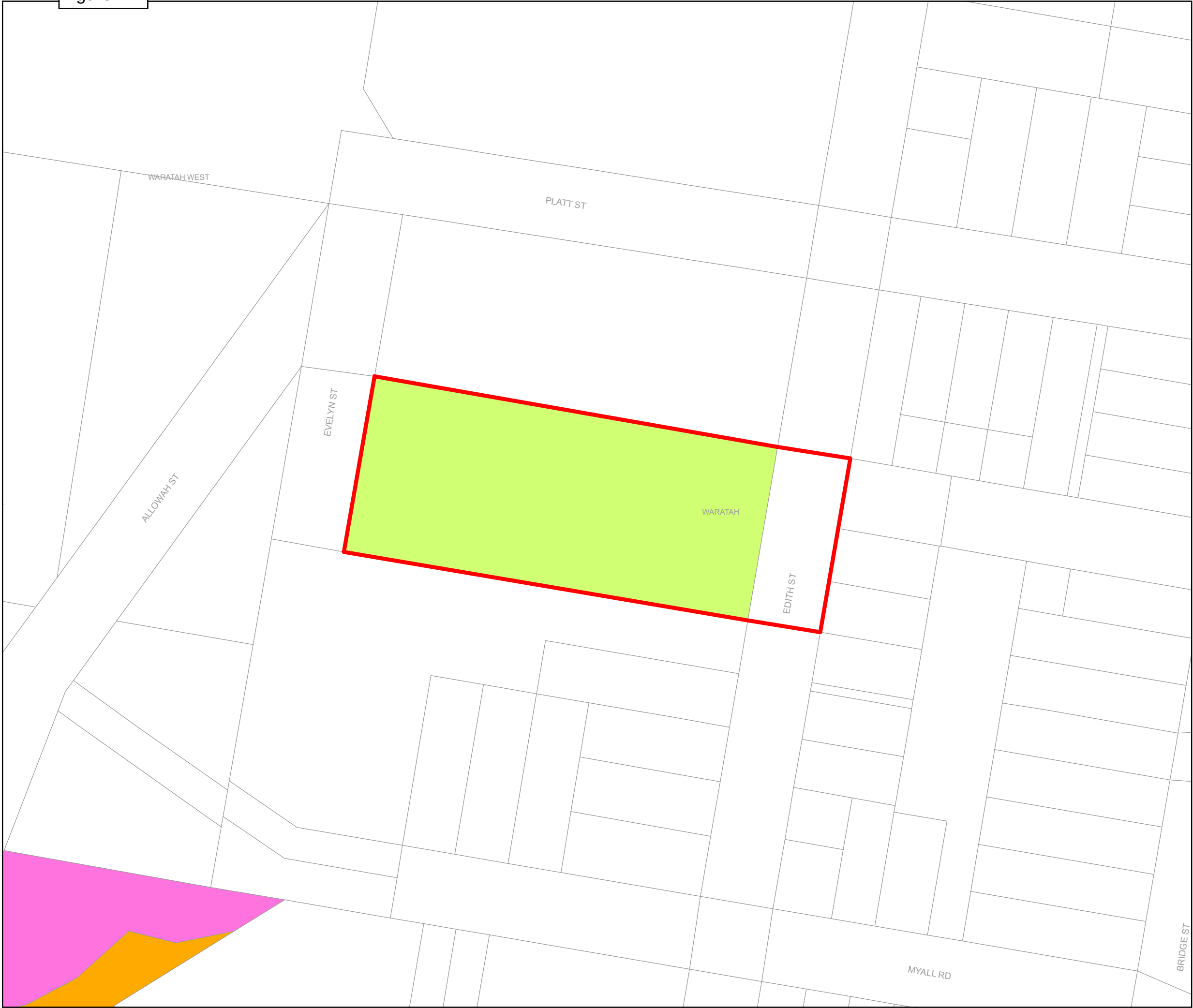
N

Projection: GDA 1994
MGA Zone 56

Scale: 1:1,000 @ A3

Map Identification Number: ECM 4997074, Date: 2/11/2016 8:08:05 AM

Figure 11



Part 5 – Community Consultation

Council recommends that the Planning Proposal be exhibited in accordance with the requirements of section 57 of the *EP&A Act 1979* and section 34 of the *Local Government Act 1993*. The Proposal will be placed on public exhibition for a minimum of 28 days.

Written notification of the community consultation will be provided in a local newspaper and on Council's website. In addition to this adjoining landowners will be notified in writing. The written notice will contain:

- a brief description of the intended outcomes of the planning proposal
- an indication of the land which is affected by the proposal
- information on where and when the planning proposal can be inspected
- the name and address of Council for the receipt of submissions and
- the closing date for submissions.

During the public exhibition period the following documents will be placed on public exhibition:

- the planning proposal
- the gateway determination
- the council report
- the LEP practice note: Classification and reclassification of land through a Local Environmental Plan (PN 16-001) and
- any additional studies required by the Gateway Determination.

As per section 29 of the Local Government Act 1993, a public hearing will follow the public exhibition period.

Part 6 – Project Timeline

The project is expected to be completed within eight months from Gateway Determination. The following timetable is proposed:

Task	Planning Proposal Timeline											
	Jan 17	Feb 17	Mar 17	Apr 17	May 17	Jun 17	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Dec 17
Issue of Gateway Determination												
Prepare any outstanding studies												
Consult with required State Agencies												
Exhibition of planning proposal and technical studies												
Review of submissions and preparation of report to Council												
Report to Council following exhibition												
Planning Proposal sent back to Department requesting that the draft LEP be prepared												