

Planning Proposal for
Residential Rezoning of Various Lots
Lambert, Murray, Richardson & Mortimer Streets
Wingham

Prepared for:

Boral Property Group

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Preliminaries

Introduction

This Planning Proposal has been compiled in accordance with the Department of Planning's '*A Guide to Preparing Planning Proposals*' (October 2012).

The planning proposal explains the intended effect of the LEP amendment sought and provides sufficient justification to enable Council and the Department of Planning & Infrastructure to adequately consider the proposal and confirm the technical studies and investigations required to progress the proposal through the 'Gateway Process'.

The planning proposal was originally lodged in February 2010 and was heard at the Council meeting of 16 February 2011 (refer Appendix C). The Council report supported the proposal but recommended that the application was placed on hold until completion of the Council's Local Growth Management Strategy (LGMS). Council advised in August 2013 that completion of the LGMS was no longer required and Council could continue to assess the planning proposal.

Subject Site

This planning proposal applies to the following allotments, the subject site:

- Lot 246 DP754454 (0.65 hectares or 6,599m²);
- Lot 265 DP754454 (1.30 hectares or 13,303m²);
- Lot 266 DP754454 (1.53 hectares or 15,270m²);
- Lot 267 DP754454 (0.79 hectares or 7,866m²);
- Lot 268 DP754454 (0.73 hectares or 7,284m²);
- Lot 269 DP754454 (0.73 hectares or 7,284m²);
- Lot 270 DP754454 (0.73 hectares or 7,334m²);
- Lot 310 DP754454 (0.84 hectares or 8,397m²); and
- Lot 4 DP114687 (0.63 hectares or 6,323m²).

These allotments are bound by Mortimer Street in the north, Lambert Street in the east, Murray Road in the south and Richardson Street in the west.

The site contains a total site area of 79,660m² or 7.96 hectares and is located west of the Wingham town centre. The sites are surrounded by existing residential development to the north, east and west and adjoin commercial developments to the south.

The sites location is detailed in Exhibit 1.

Site Analysis

The site and the physical attributes it exhibits and surrounding land uses are identified on Exhibits 1, 2 and 3. These features are as follows;

- The majority of the subject site is zoned RU1 Primary Production under the provisions of the Greater Taree Local Environmental Plan 2010 with a small portion of land (approximately 2,900m²) within Lot 269 zoned B1 Neighbourhood Centre;
- The site is surrounded to the north, east and west by established residential development and small commercial development (service station and mechanical repairs) to the south (refer to the attached aerial image);
- The site contains a vegetated drainage channel running east-west across Lots 266 and 267 (refer to the photographic plate);
- The site is not identified as being bushfire prone land due to its urban surroundings;
- The site is not identified as containing Acid Sulphate Soils;
- The site is not identified as a regionally significant (vegetative) corridor according to the NSW National Parks and Wildlife Service's website;
- The site is located within close proximity to the Wingham town centre, Wingham train station and golf course and Country Club;
- The Wingham Baptist Church is located on the corner of Richardson Street and Murray Road; and
- Lot 310, south-east corner, is understood to have contained a timber mill. Timber footings and a concrete slab and retaining wall still exist within the site (refer to the photographic plate).

The site is currently connected to the following physical infrastructure:

- Electricity: overhead powerlines currently exist on the subject sites eastern boundary, on the northern side of Mortimer Street

and the western side of Richardson Street. Pole mounted sub stations currently exist on the corner of Murray Road and Lambert Street, south of 13 Mortimer Street and within Richardson Street south of the existing drainage reserve;

- Sewer: The southern precinct (that which falls south of the existing vegetated drainage reserve) includes an (internal main) sewer line running east-west from Irvine Street to the western edge of Richardson Street;
- Water: Lot 310 currently contains a meter within its eastern boundary (Lambert Street). A water line currently runs north-south along the eastern edge of Richardson Street.
- Telecommunications: direct buried cables are located on the northern side of Murray Road (subject sites southern boundary).

Zoning

The *Greater Taree Local Environmental Plan 2010* (GTLEP 2010) is the principal planning control for development and land use in the Greater Taree local government area.

The subject site is currently zoned RU1 Primary Production and B1 Neighbourhood Centre under the provisions of the GTLEP 2010.

The current zoning of the site is detailed in Exhibit 3.

The subject site is adjoined by land zoned R1 General Residential to the north, east and west. Land directly south of the site is zoned B6 Enterprise Corridor and contains a service station and mechanical repairs centre.

Background / History

The Subject Site

The majority of the site has been utilised for rural purposes however, the site has also been utilised for timber processing on Lot 310 between the 1940's and 1997. Lots 266 and 267 were periodically used for the storage of timber but have predominately been used for grazing purposes.

Lot 310, which is located in the south-east corner of the subject site has previously contained a Timber Mill and evidence of the demolished structure is still evident on the subject site (refer to the photographic plate attached as Exhibit 2).

Lots 265, 268 and 269 in the northern portion of the site have only been utilised for grazing purposes. The site was purchased by Boral in 1992.

As a result of Council's request, land located on the corner of Richardson Street and Murray Road, which contains the Baptist Church, has also been included as a part of this planning proposal. The additional lot is identified as Lots 246 and 270 DP754454.

The Baptist Church is located on Lot 270 and contains a large car park consisting of 55 spaces. Lot 246 is currently vacant with no built structures existing on-site.

The Planning Proposal

The planning proposal was originally lodged in February 2010 and was heard at the Council meeting of 16 February 2011 (refer Appendix C). The Council supported the proposal but recommended that the application be placed on hold until completion of the Council's Local Growth Management Strategy (LGMS). Council advised in August 2013 that completion of the LGMS was no longer required and Council could continue to process the proposal.

A meeting was held with Council staff in September 2013 to determine the requirements of updating the proposal. This assessment report addresses the matters outlined at the meeting including completion of the following assessments:

- Contamination – refer to Section 3.2.3 and Appendix E;
- Heritage – refer to Section 3.3.3 and Appendix D; and
- Ecological – refer to Section 3.3.2 and Appendix G.

A copy of the 16 February 2011 Council report and meeting minutes are attached as Appendix C.

Part 1

Statement of Objectives

1.1 Objectives & Intended Outcomes

To enable the development of the land bound by Lambert, Richardson and Mortimer Streets and Murray Road, Wingham and described as Lots 246, 265, 266, 267, 268, 269, 270 and 310 DP754454 and Lot 4 DP114687 for residential and compatible land uses in a manner consistent with the surrounding landscape.

Part 2

Explanation of Provisions

2.1 The Proposal

The proposed outcome will be achieved by:

- Amending the Greater Taree Local Environmental Plan 2010 Land Zoning Map (LZN_010C) on the former Boral Timber Mill site and existing Baptist Church including the land bound by Lambert, Richardson and Mortimer Streets and Murray Road, Wingham in accordance with the proposed zoning map shown at Exhibit 3;
- Amending the Greater Taree Local Environmental Plan 2010 Height of Building Map (HOB_010C) in accordance with the proposed height map shown at Exhibit 4 which indicates a maximum permissible height of 8.5m onsite;
- Amending the Greater Taree Local Environmental Plan 2010 Lot Size Map (LSZ_010C) from the current 40ha minimum to 450sqm minimum in accordance with the proposed lot size map shown at Exhibit 5; and
- Amending the Greater Taree Local Environmental Plan 2010 Floor Space Ratio Map (FSR_010C) in accordance with the proposed Floor Space Ratio map shown at Exhibit 6 which indicates a maximum Floor Space Ratio of 0.6:1 onsite.

Part 3

Justification

The following information sets out the case for the proposed LEP Amendment with regard to the subject site(s) and addresses those questions listed in the Department of Planning & Infrastructures 'A Guide to Preparing Planning Proposals' (October 2012).

3.1 Need for the Planning Proposal

The Planning Proposal to rezone the subject site from Rural (RU1 Primary Production) and B1 Neighbourhood Centre to Residential (R1 General Residential) and RE1 Public Recreation is largely considered suitable as it is considered to constitute the urban consolidation of the Wingham urban footprint and is considered to be a logical development of the locality given its surrounding residential land uses.

In addition, the current R1 Primary Production zoning is not considered suitable for the site for the following reasons:

- The subject site is not of a size large enough to maintain a sustainable primary industry and is further prohibited from containing a sustainable industry for the following reasons:
 - o The subject site consists of nine (9) individual allotments of varying sizes and shape; and
 - o The subject site is divided into two portions by a central drainage channel, reducing the usable land area.
- The subject site is surrounded on three (3) sides by residential development and the conduction of a primary industry enterprise from the site, as is permissible in the current zoning, would not be appropriate for the residential area or consistent with the aspirations of the surrounding residential neighbours.

3.1.1 Is the Planning Proposal a result of any Strategic Study or Report?

The subject site is not identified within the Mid North Coast Regional Strategy (MNCRS) as a 'proposed urban release area' (refer to Appendix A) however, the site is identified as part of the *Existing Urban (Residential)* footprint in the *Wingham Development Strategy* (May 1999, refer to Figure 1).

Urban consolidation and infill development within the existing urban footprint of growth areas, including Wingham, are however, recognised

in the MNCRS as a contributory mechanism to meeting the expected housing demand of the Mid North Coast Region.

It is also noted that Greater Taree City Council supported the planning proposal in their report of 16 February 2011 (Appendix C).

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is considered to represent the most logical residential development for the Wingham locality for the following reasons:

- The site is surrounded by residential and commercial development and currently maintains access to the necessary physical infrastructure and is therefore not considered to stretch the existing infrastructure services;
- The site is largely free from constraints as it is not identified as bushfire prone land, does not contain acid sulphate soils and is not identified as a regionally significant (vegetative) corridor according to the NSW National Parks and Wildlife Service's website;
- The subject site is not burdened by any identified items of archaeological or heritage significance. It is noted that adjoining Lot 7301 DP1142407 contains an identified item of heritage significance and this is discussed further under Section 3.3.3;
- The subject site is heavily infested with invasive weeds and there are no significant ecological impacts considered likely to occur as a result of the proposed rezoning and future development of the land; and
- Previous environmental site assessments of the site completed by IT Environmental (Australia) Pty Ltd (12 November 1998, 17 April 2001 and 18 December 2001) considered the site suitable for residential development (refer to Section 3.2.3 and Appendix E).

Investigations into alternative approaches for the development of the land were undertaken in late 2008. The land owner wrote to Council in December 2008 to discuss the potential erection of a dwelling on each of the subject allotments. Council advised that whilst it was not strictly permissible under the provisions of the then in-force *Greater Taree Local Environmental Plan 1995*, Council would support an application containing a SEPP 1 Objection (repealed by Clause 4.6 of the *Greater Taree Local Environmental Plan 2010*). Council advised that the applications should demonstrate how the proposed dwellings would fit within a future residential subdivision pattern and suggested that a

submission be made to have the land rezoned to residential.

3.2 Relationship to Strategic Planning Framework

3.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Sydney Metropolitan Strategy

The *Sydney Metropolitan Strategy* does not apply to the subject site.

Regional Strategies

The *Mid North Coast Regional Strategy* (MNCRS) is the applicable Regional strategy applying to the subject site.

The subject site is not identified as a 'proposed urban area' within the MNCRS although it is noted that the Strategies growth areas are predominately located on the urban fringes of the existing urban residential footprint of Wingham (refer to Appendix A). It is therefore considered that the development of the site for the purposes of Residential development is consistent with the overall strategy and intent of the MNCRS.

Urban consolidation and infill development are considered a contributory mechanism towards meeting the expected housing demand of the Mid North Coast Region.

Sub-Regional Strategies

The *Wingham Development Strategy – A Strategy for a Changing Environment* (May 1999) and the *Taree/Wingham Urban Growth Plan* (October 1990) are the applicable sub-regional strategies applying to the subject site.

The subject site is identified within the Wingham Development Strategy as a part of the existing 'urban residential footprint' (see Figure 1).

The primary objective of the Taree/Wingham Urban Growth Plan is to create a '*...framework for environmentally sound, orderly, progressive and efficient urban expansion of Taree, Wingham and environs, catering for forecast growth*'. This planning proposal is considered consistent with this objective for the following reasons:

- The proposal is not considered likely to have a detrimental impact on the natural environment or affect any natural ecosystems occurring within the locality;

- The site is surrounded by residential development on three (3) sides and is flanked by commercial businesses to the south. Expansion of the residential zoning into the site is considered to maintain a logical growth pattern for the locality;
- The site currently maintains access to the necessary physical infrastructure and is therefore not considered likely to stretch the existing infrastructure services; and
- The site is not considered to be of a size suitable to maintain a sustainable primary industry and any intention to utilise the land for such a purpose is considered to be inconsistent with the surrounding residential land use.

3.2.2 Is the Planning Proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The Taree/Wingham Urban Growth Plan is noted as the regions 'strategic plan' as it was prepared by Council, outlining the broad development structure for future expansion and development of both Taree and Wingham.

The objectives for the Growth Plan are detailed and addressed in the following Table:

Table 3.2.2 – Taree/Wingham Urban Growth Plan	
Objective	Comment
Primary	
The primary objective for this growth plan is a framework for environmentally sound, orderly, progressive and efficient urban expansion of Taree, Wingham and environs, catering for forecast growth.	The proposal is not considered likely to have a detrimental impact on the natural environment or affect any natural ecosystems occurring within the locality; Flora Fauna Consulting has completed an ecological assessment of the site (Appendix G) and noted that the site is environmentally ' <i>...degraded and heavily infested with invasive weeds. Overall, it appears that there are no significant impediments to the proposed rezoning. In relation to further development of the subject site, it is considered that additional ecological investigation would not be warranted given the extent of the disturbance and modification of the habitat that exists</i> '.
Secondary	
Recognition of the natural environmental ecosystems within the study area.	The ecological assessment identified two terrestrial plant communities on site, those being a Spotted Gum – Grey Ironbark dry open forest community and a derived riparian community that could not be assigned a formal classification due to the extent of modification and degradation of the plant community. Whilst some threatened species could potentially utilise the habitat within the site the potential impacts can be mitigated by the measures outlined in the ecological assessment. An Aboriginal site was identified as occurring on an adjoining allotment, that being Lot 7301 DP1142407.

	The site is identified as the 'Wingham Burial Ground' and is protected by the existing allotment within which it exists. The Local Aboriginal Land Council have also confirmed that they have no objection to the proposed rezoning (refer Appendix F). For these reasons, it is considered that the proposed rezoning has considered the natural environmental ecosystems and is not considered likely to have any detrimental impacts.
Recognition of the potential effects of urban growth on the natural ecosystems.	The site is considered to be isolated from the natural ecosystems occurring within the broader Wingham area due to the adjoining urban development. The site is physically surrounded by formed roads and residential and commercial development. This, as well as the degraded quality of the existing terrestrial communities and invasive weeds present on-site suggest that the proposed rezoning is not likely to have a detrimental impact on the growth of any natural ecosystems.
Documentation of the natural and cultural constraints which effect the growth area.	The natural constraints have been considered as a part of the ecological impact assessment undertaken by Flora Fauna Consulting (refer Appendix G). The natural constraints are not considered to inhibit the proposed development of the site. The LALC have advised that they have no objection to the rezoning occurring within proximity of the identified Aboriginal site. Further assessment of any future development of the land would however, be required.
Documentation of the sewerage potential for efficient servicing capacity within the study area.	The southern precinct (that which falls south of the existing vegetated drainage reserve includes an (internal main) sewer line running east-west from Irvine Street to the western edge of Richardson Street.
Assessment of population growth needs in the future.	The rural locations of the Manning region, including Wingham, are noted for attracting families. As a result Wingham is expected to grow by an average annual growth rate of 0.54% with the majority of households within the locality consisting of 'one person households' and 'couple families with dependents'. This planning proposal is considered to contribute to the moderate rural growth anticipated within the Manning region.
Assessment of business and community facilities required for future populations.	No business or commercial zonings are proposed as a part of this application. It is considered that the sites close proximity to the Wingham town centre negates the need for any business or commercial zonings to be provided. It is however, noted that child care centres, home businesses, neighbourhood shops, restaurants or cafes and shop top housing are permissible within the R1 General Residential zone and could potentially provide for any business or community needs within the area.
Assessment of primary access requirements for future growth areas, ensuring efficient road networks with avoidance of ribbon development.	The subject site is flanked on all sides by the existing local road network and no additional access to the site is considered necessary. It is considered that the site can be accessed from a number of different roads and locations and it is therefore considered that access is unlikely to be an issue for any future development of the site.

Identification of orderly and progressive release areas for all categories of urban development, providing for periodic stages of expansion within the study area, based on a 5 yearly review providing for ten years supply of land, including an additional reserve of vacant land.	The site is surrounded by urban development and as such is considered 'in-fill' development. Development of the site for residential purposes as proposed is considered a consolidation of the Wingham urban footprint and is considered to be a logical development of the locality given its surrounding residential land uses without adversely impacting infrastructure or service provision.
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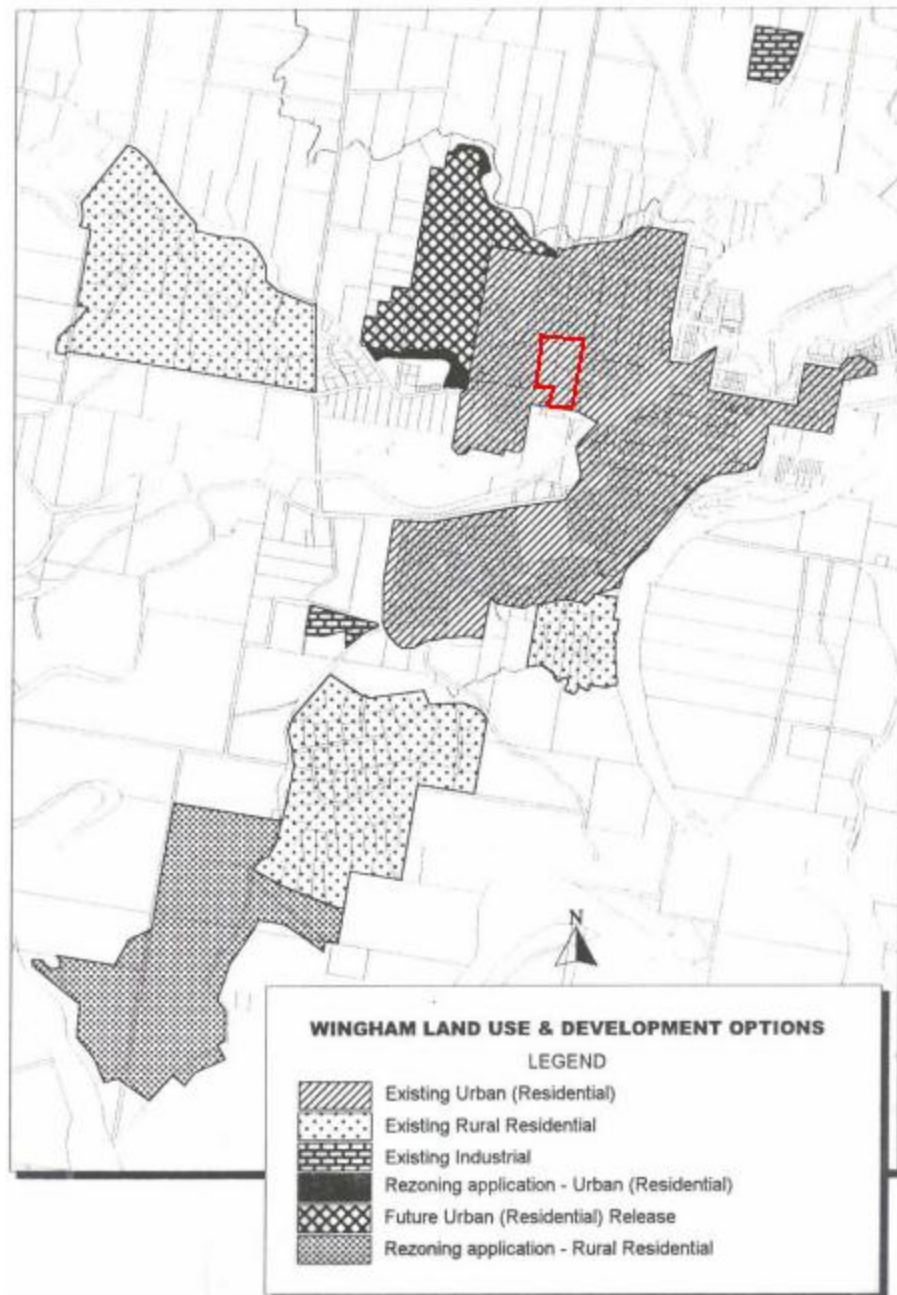


Figure 1: Extract from the Wingham Development Strategy
(Page 35)

3.2.3 Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPP's) apply to the subject site and planning proposal:

SEPP Rural Lands

Clause 7 of this SEPP sets out 8 rural planning principles that must be considered in the preparation of any LEP Amendments affecting rurally zoned land. The rural planning principles read as follows:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,
- (h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.

The proposed rezoning is considered consistent with these planning principles for the following reasons:

- The site is not considered suitable to sustain a productive and economic rural activity due to its small size (total area of 6.4ha) and close proximity to residential development;

- The site is largely cleared of vegetation containing predominately managed grass lands and development of the site for urban purposes is unlikely to significantly detrimentally affect the biodiversity of the locality;
- The site is capable of being connected to the necessary physical infrastructure with only minor extensions to the existing infrastructure; and
- The development of the site for the purposes of residential development is considered a logical development of the existing Wingham urban footprint and is consistent with the overall local strategy and intent of the MNCRS.

SEPP 44 – Koala Habitat Protection

The provisions of this SEPP apply to the Greater Taree LGA and the requirement for consideration is triggered due to the combined Lot area exceeding 1 hectare in size.

The northern portion of the site contains scattered vegetation described by Flora Fauna consulting as Spotted Gum – Grey Ironbark dry open forest, the canopy of which is identified as containing *Eucalyptus tereticornis* (Forest Red Gum), which is listed as a Schedule 2 Feed tree species under SEPP 44.

Flora Fauna (Appendix G) noted that the Forest Red Gum constituted more than 15% of the total number of trees in the upper and lower strata of the tree component and therefore satisfied the criteria as potential Koala habitat.

Flora Fauna states that there is a local Koala population present. The Atlas of NSW Wildlife database search revealed a total of 32 records, all but one occurred outside the urban environment with concentrations to the north in an area of remnant forest. The site cannot however, be regarded as core koala habitat according to Flora Fauna for the following reasons:

- The field survey did not reveal any evidence of the (koala) species utilising the habitat; and
- The site is surrounded by existing urban development and does not contain habitat corridors suitable to provide linkages to non-urbanised areas

On the basis of the above, Flora Fauna states that '*...the habitat within the survey area cannot be regarded as core Koala habitat for the purposes of SEPP 44*'.

SEPP 55 – Remediation of Land

Clause 7 of this SEPP requires consideration to be given to all development applications in relation to land contamination. The relevant consent authority is therefore required to consider the sites history and whether or not the site is suitable for the proposed development.

It is noted that Lot 310 formerly contained a Timber Mill which was subsequently demolished circa 2001. Various environmental studies have been completed over the site by Fluor Daniel GTI and IT Environmental (Australia) Pty Ltd between 1998 and 2001. All three of these reports have concluded that the site is suitable for residential land use. Copies of these environmental studies are provided on a CD attached to this report.

The reports did note the presence of contamination on-site, primarily within Lot 310, relating to the former Timber Mill. Contamination Management Pty Ltd completed a Site Audit Report over Lot 310 in March 2002 and suggested that the findings of hydrocarbons (TPH) in the soil is believed to be related to vehicles parked in that area within a former shed.

Remediation works were undertaken and monitored by IT Environmental in 2001 and Contamination Management Pty Ltd concluded that the site was suitable for residential development.

'Based on the results presented in the environmental investigations and validation reports, and their substantial compliance with guidelines made by NSW EPA, it is my opinion that it is safe to conclude that the site is suitable for the proposed residential development and that no conditions are required to be noted on Site Audit Statement WRR98/1, which relates to the site'.

3.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 Directions)?

The Ministerial Directions issued on 1 July 2009 are addressed in the table attached at Appendix B.

3.3 Environmental, Social & Economic Impact

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

Flora Fauna Consulting (Appendix G) undertook a detailed ecological assessment of the site including the potential impacts of the proposal on critical habitat, threatened species, populations or ecological communities, and their habitats.

Flora Fauna's assessment noted that there is one threatened ecological community identified (using the Department of Sustainability,

Environment, Water, Population and Communities (DSEWPC) web site) as occurring within a 10km radius of the subject site, that being the critically endangered *Lowland Rainforest of Sub Tropical Australia*. This plant community was not observed within the subject site.

Using the DSEWPC website search Flora Fauna identified 45 Threatened Species and 34 Migratory Species as likely to be occurring within the 10km area surrounding the site. Only two (2) of the migratory species, the *Hirundapus caudacutus* (White Throated Needletail) and *Ardea ibis* (Cattle Egret) are considered to have potential to utilise the habitat within the subject site.

27 of the Threatened Species are aquatic or marine species and are therefore not considered likely to occur on or utilise the subject site. The findings of Flora Fauna's assessment are included within Appendix C of Appendix G.

It is noted however, that no endangered ecological community or critical habitat was recorded within the subject site and given the significant disturbance history, the proposed rezoning is not considered likely to fragment any habitat areas or detrimentally impact the long-term survival of any threatened species, including the Koala.

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

It is not anticipated that there would be any significant environmental effects from the planning proposal. The site is considered to form part of the existing Wingham urban footprint and is surrounded by residential and commercial development.

The site is not identified as bushfire prone land, does not contain acid sulphate soils and is located within close proximity to the Wingham town centre and existing employment features.

The ecological implications of the proposal have been investigated by Flora Fauna Consulting and the findings of the ecological assessment are summarised below:

- Two terrestrial plant communities were recorded within the survey area, those being:
 - o Spotted Gum – Grey Ironbark dry open forest. This community was identified as occurring within that part of the site north of the central drainage reserve; and
 - o Derived riparian community (note that this community could not be assigned a formal Vegetation Information System (VIS) classification due to the extent of modification and degradation of the plant community). This community was identified as occurring within the drainage corridor running

centrally through the survey area.

That part of the site, south of the central drainage reserve, adjacent the existing church and former timber mill site, is identified as containing managed grass which is subject to regular slashing.

The managed areas were identified as being dominated by exotic/weed species including *Paspalum urvillei* (Vasey Grass), *Setaria sphacelota* (South African Pigeon Grass), *Andropogon virginicus* (Whisky Grass) and *Cynodon dactylon* (Common Couch).

- Based upon the information gathered during the field survey, and with respect to the survey areas disturbance and modification history (cattle grazing and timber mill), it was determined that the subject site provides limited potential habitat for some species of fauna;
- No threatened species or populations were recorded within the survey area during the field survey;
- Three (3) weeds of national significance were recorded within the survey area, those being *Asparagus aethiopicus* (Asparagus Fern), *Lantana camara* (Lantana) and *Senecio madagascariensis* (Fireweed);
- The northern portion of the site containing the Spotted Gum – Grey Ironbark dry open forest is considered to constitute more than 15% of the upper and lower strata of the tree component and on this basis is considered to satisfy the criteria as potential Koala habitat;
- The Atlas of NSW Wildlife database indicates that Koala's have a presence in and around the subject site however, Flora Fauna state that this is not necessarily an indication of a population that is presently on, or utilising the subject site. Flora Fauna note that the extent of urbanisation around the site and the lack of suitable habitat corridors to provide linkages to non-urban vegetated areas suggest that the site is unlikely to be regarded as core Koala habitat; and
- No vegetation will be removed from within the subject site in relation to the planning proposal and it is likely that any future vegetation removal associated with future urban development would be limited to the northern portion of the site.

To ensure that the environmental impacts are minimised Flora Fauna include a number of mitigation measures which should be included in a Vegetation Management Plan, these include:

- Protection of the existing remnant native vegetation;
- Encourage regeneration of existing vegetation;
- Control invasive weeds;
- To minimise the impact of proposed development on the native vegetation; and
- To perform monitoring and maintenance activities to ensure that implementation of the mitigation measures are adequate and a satisfactory restoration outcome is achieved.

Secondary recommendations associated with vegetation removal likely to occur within the northern portion of the site as a part of the future development are also recommended by Flora Fauna and include:

- Retention of Koala food tree species where possible;
- A replacement ratio of 1:1;
- Replacement trees to be of the same species as those they are replacing;
- The re-planting should be undertaken in the proposed public recreation land. If there is not sufficient land area within the public recreation land to accommodate all of the re-planting some may be provided as street trees within the subject site;
- Plantings should be placed irregularly within the proposed public recreation land to simulate a natural plant community; and
- Removal of the trees should be undertaken selectively with preference given to retaining trees of good growth form, Koala tree species and trees with potential to form hollows.

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

The Social Impacts

The planning proposal is considered to constitute a logical development of an existing urban resource within the Wingham urban footprint catering for the continued growth of the locality and surrounding Manning region.

The surrounding existing residential development to the west, north and east and further residential development to the south currently being undertaken are considered to justify that the development of this site for

the purposes of residential dwellings and associated structures is consistent with the social and economic development of Wingham.

It is considered that the interface between the site and the surrounding residential and commercial development significantly hamper the use of the site for viable rural agricultural or pastoral purposes.

In this regard, it is considered that the use of the site by a viable agricultural or pastoral practice would be inconsistent and incompatible with the views, expectations and values of the people living in the surrounding residential area.

In addition, the site not considered of a size suitable to accommodate a viable agricultural or pastoral practice and the rezoning of the site to a residential zone is considered to ensure the use of the land in a manner commensurate with the expectations of the surrounding residents.

The rural locations of the Manning region, including Wingham, are noted for attracting families. As a result Wingham is expected to grow by an average annual growth rate of 0.54% with the majority of households within the locality consisting of 'one person households' and 'couple families with dependents'. This planning proposal is considered to contribute to the moderate residential growth anticipated within the Manning region.

Heritage/Archaeology

The subject site is not identified as containing any items or sites of Aboriginal or European heritage significance. It is noted that Lot 7301 DP1142407 which adjoins the site and is located within the existing vegetated drainage channel, is identified as containing an Aboriginal site. The Aboriginal Heritage Information Management System (AHIMS) identifies this site as the 'Wingham Burial Ground'. This site is not listed under Schedule 5 Environmental Heritage of the Greater Taree Local Environmental Plan 2010.

Lot 7301 does not form part of the proposed planning proposal and no works are sought on this site. It is considered that suitable buffers can be provided in any future development of the land such that impacts on the identified site are unlikely to occur. Should an investigation into the potential impacts on this site be required it is considered that this can be completed post Gateway determination.

It is noted that the Purfleet/Taree Local Aboriginal Land Council (PTLALC) considered the proposal and has advised that they have no objection to the proposed rezoning. Development on the site and allotment for residential purposes would however, require further consultation.

The Economic Impacts

As noted above, the site is not considered to be of a size suitable to

cater for a viable agricultural or pastoral practice and is therefore currently being underutilised from a rural or agricultural perspective.

The proximity of the existing urban (residential) development surrounding the site is also considered to result in a limited development capacity. In this regard, it is considered that the conduction of the land uses currently permissible under the RU1 Primary Production zoning, such as extractive industry, intensive livestock agriculture, open cut mining or rural industries (livestock processing, composting facilities, stock and sale yards) would be inconsistent with the views, expectations and values of the people living in the surrounding residential area.

Economically, the site is therefore considered to be underutilised and not contributing to the economic potential of Wingham.

Development of the site for the purposes of Residential development is however, considered to provide a significant economic impact to Wingham. The development will contribute to jobs during the construction phase and will contribute to the available housing choice within the existing urban footprint.

3.4 State & Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The site is currently connected to the following physical infrastructure:

- Electricity: overhead power lines currently exist on the subject sites eastern boundary, on the northern side of Mortimer Street and the western side of Richardson Street. Pole mounted sub stations currently exist on the corner of Murray Road and Lambert Street, south of 13 Mortimer Street and within Richardson Street south of the existing drainage reserve;
- Sewer: The southern precinct (that which falls south of the existing vegetated drainage reserve) includes an (internal main) sewer line running east-west from Irvine Street to the western edge of Richardson Street;
- Water: Lot 310 currently contains a meter within its eastern boundary (Lambert Street). A water line currently runs north-south along the eastern edge of Richardson Street;
- Telecommunications: direct buried cables are located on the northern side of Murray Road (subject sites southern boundary); and
- Roads: The site is bound by sealed roads on all four sides. None of the road frontages however maintain kerb and guttering.

It is considered that this planning proposal provides a logical development of an existing urban resource without generating any additional demand on public transport, roads, utilities, waste management or recycling and other essential services such as health, education or emergency services. These matters are expanded upon below:

- **Public Transport:** Wingham Bus Services provide public transport in the area surrounding the site and there are currently two bus stops adjoining the subject site. These are located in the sites south-western corner adjacent the Baptist Church (Richardson Street) and adjacent the sites north-eastern corner (corner of Mortimer and Lambert Streets).

The Wingham train station is also located approximately 350m east of the site.

- **Roads:** The site is surrounded by an existing road network on all sides and any future road network associated with the sites development is not considered likely to generate any significant impact on traffic movements or maintenance costs;
- **Utilities:** Refer to the comments above relating to infrastructure provision;
- **Waste Management:** The site is surrounded by residential development which is provided with waste management services. The planning proposal is not considered likely to result in a demand which is unlikely to be catered for by a moderate expansion of the existing services provided;
- **Essential Services:**
 - o **Schools:** A number of schools are located within Wingham. St Josephs is located approximately 1.1km east of the site and the Wingham Public School is located approximately 1.2km west of the site. Wingham High School is located approximately 1.6km east of the site;
 - o **Health:** The Wingham Hospital is located approximately 1km south of the site;
 - o **Emergency Services:** The site is not identified as bushfire prone and is surrounded by urban development. The development of the site is therefore not considered likely to detrimentally impact the service provision of the local fire authority.

Due to the sites in-fill nature the use of the site for urban purposes is not considered likely to stretch

emergency services by manner of distance to travel
or creating any difficulties in relation to access.

No shortfall in service provision is considered likely as a result of the
planning proposal.

3.4.2 What are the views of the State & Commonwealth Public Authorities consulted in
accordance with the Gateway Determination?

No consultation with State or Commonwealth Public Authorities has
been undertaken as a part of this planning proposal.

This section of the planning proposal shall be completed following
consultation with the State & Commonwealth Public Authorities
identified in the gateway determination. This is consistent with
Ministerial Direction 6.1 and the DoP's *A Guide to Preparing Planning
Proposals*.

Part 4

Maps

The attached Exhibits are considered to clearly identify the relevant aspects of the planning proposal and include:

- Exhibit 1 – Aerial Photograph & Site Locality: This Exhibit identifies the subject site and surrounding locality and provides context as to the sites position from the regional centre of Taree;
- Exhibit 2 – Photographic Plate; This Exhibit provides a snapshot of the site and surrounding areas;
- Exhibit 3 – Current & Proposed Site Zoning: This Exhibit details the sites current zoning pursuant to the provisions of the *Greater Taree Local Environmental Plan 2010* and identifies the R1 General Residential zoning sought under this proposal;
- Exhibit 4 – Existing & Proposed Height of Buildings Map: This Exhibit details the sites current Height of Building (no height limit currently specified) pursuant to the provisions of the *Greater Taree Local Environmental Plan 2010* and identifies an 8.5m maximum Height of Building sought under this proposal. It is noted that this is consistent with the adjoining residential areas;
- Exhibit 5 – Existing & Proposed Lot Size Map: This Exhibit details the sites current minimum Lot Size provisions (AB3 or 40ha) pursuant to the provisions of the *Greater Taree Local Environmental Plan 2010* and identifies a 450m² minimum Lot Size provision sought under this proposal. It is noted that this is consistent with the adjoining residential areas;
- Exhibit 6 – Existing & Proposed Floor Space Ratio Map: This Exhibit details the sites current maximum Floor Space provisions (none specified) pursuant to the provisions of the *Greater Taree Local Environmental Plan 2010* and identifies a 0.6:1 minimum floor space provision sought under this proposal. It is noted that this is consistent with the adjoining residential areas;

Part 5

Community Consultation

No community consultation has been undertaken as a part of the process associated with preparing this Planning Proposal.

The original planning proposal was considered at the public Council meeting of 16 February 2011. It is noted that the Council agenda was available for public review and no submissions were received in response to the planning proposal.

It is understood that the community consultation requirements will be undertaken in accordance with the Departmental publication *"A Guide to Preparing Local Environmental Plans"* should a gateway determination be achieved.

It is noted that a Gateway determination would specify community consultation to be undertaken in relation to the planning proposal which would be required to be adhered to as a part of the LEP amendment process. The planning proposal is considered to be of low impact and it is therefore anticipated that exhibition would occur for a minimum period of 14 days.

Part 6

Project Timeline

The table below outlines a broad timeline anticipated to occur upon completion of Council's preparation and forwarding to the Director-General (DG) for Gateway Determination. It is considered that this planning proposal will be heard at the 19 February 2014 Council meeting and forwarded to the DG shortly thereafter.

Anticipated Project Timeline	Proposed Date(s)
Anticipated commencement date (date of gateway determination)	March 2014
Anticipated timeframe for the completion of required technical information	To be determined.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	To be determined.
Commencement and completion dates for public exhibition	June 2014
Dates for public hearing (if required)	To be determined post exhibition.
Timeframe for consideration of submissions	July 2014
Timeframe for the consideration of proposal post exhibition	August 2014
Date of submission to the department to finalise the LEP	September 2014
Anticipated date RPA will make the plan (if delegated)	October 2014
Anticipated date RPA will forward to the department for notification.	November 2014

Part 7

Conclusion

This planning proposal seeks to enable the development of the land bound by Lambert, Richardson and Mortimer Streets and Murray Road, Wingham and described as Lots 246, 265, 266, 267, 268, 269, 270 and 310 DP754454 and Lot 4 DP114687 for residential and compatible land uses in a manner consistent with the surrounding landscape.

To achieve this, the planning proposal seeks to amend the existing zoning and planning controls contained within the Greater Taree Local Environmental Plan 2010 and as detailed within this report.

Overall, the LEP amendment sought by this planning proposal is considered to have a positive impact within the Wingham locality by utilising an existing urban resource in a manner consistent with the values and expectations of the surrounding residential neighbourhood.