

PLANNING PROPOSAL

Amendment to the Maitland LEP 2011

LOUTH PARK RD, LOUTH PARK URBAN EXTENSION

(Lot 111 & 113 DP 804336 and Lot 256 & 257 DP 813454)

Version 0.1
14/12/2011



CONTENTS

INTRODUCTION	3
PART 1: OBJECTIVES OR INTENDED OUTCOMES	4
PART 2: EXPLANATION OF PROVISIONS	4
PART 3: JUSTIFICATION FOR PROPOSED REZONING OR LEP AMENDMENT	5
Section A – NEED for the PLANNING PROPOSAL	5
Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK	7
Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT	13
Section D – STATE and COMMONWEALTH INTERESTS	14
PART 4: COMMUNITY CONSULTATION	15
 Appendix 1 – Locality Plan	
Appendix 2 – Proposed Zoning Plan	
Appendix 3 – Location of Underground Mine workings	
Appendix 4 - Council reports and Minutes	
Appendix 5 – Extract from MUSS 2010 – Additional Urban Extension Sites	

Figures and Tables

Table One: Relevant State Environmental Planning Policies
Table Two: Relevant s.117 Ministerial Directions

Version

Version 0.1. – 14/12/2011

INTRODUCTION

This planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979. It explains the intended effect of, and justification for the proposed amendment to Maitland Local Environmental Plan 2011 with regard to land known as Lots 111 & 113 DP 804336 and Lots 256 & 257 DP 813454 Louth Park Rd Louth Park.

The purpose of the planning proposal is to rezone the land for large lot residential purposes. This includes the above mentioned four (4) parcels of land situated on the eastern side of Louth Park Rd immediately adjoining Waterforde Estate urban area.

The subject lands formed part of the Louth Park Urban Investigation Area (UIA) of the 2006 and 2008 Maitland Urban Settlement Strategy (MUSS), and were included in the rezoning submission for the Louth Park UIA received in 2006. In February 2007 Council resolved to prepare a draft amendment to the Maitland LEP 1993 for the Louth Park UIA, including the subject lands. The preparation of site studies followed Council's resolution, with investigations covering Flora/Fauna; Contamination; Aboriginal Heritage; Transport/Traffic; Geotechnical; Drainage; Noise and Dust; Flooding; Bushfire; Slope; Mine Subsidence; Rural/agricultural productivity; Visual amenity and Infrastructure.

At its meeting of 14 September 2010 Council endorsed the draft LEP and Planning Proposal for the Louth Park UIA and resolved to submit the Planning Proposal to the then Department of Planning (DoP) for Gateway Determination. On 16 December 2010 Council received notification from the DoP that the Planning Proposal would not proceed through Gateway, and that further investigations should be undertaken to explore possible higher lot yield options for the Louth Park UIA.

During this time Council were undertaking a 2 yearly review of the MUSS in response to policy changes made by Council and other levels of government, current urban development issues, local and regional demand for residential/industrial/commercial land and to effectively cater for the anticipated population growth to the year 2020. The MUSS review process included a public consultation period where (101) submissions were received. (51) of these submissions related to the Louth Park UIA and the current rezoning process. A review of the submissions resulted in, amongst other things, minor amendments to the boundary of the Louth Park UIA and the identification and inclusion of the subject land as additional urban infill and extension sites. At its meeting of 30 August 2011 Council resolved to adopted the 2010 MUSS which included the subject parcels of land as an additional urban extension site.

In accordance with the adopted urban infill and urban extension framework, the subject land is determined to be a Category 2 – Spot rezoning site, ie. a site that is a logical extension to the existing urban area with a range of lot yields between 5-20 lots. Council has had informal discussions with the DoPI regarding this outcome, with the DoPI indicating support for urban infill and extension and the progression of the rezoning of the subject land through this strategic framework.

The subject land has a total area of 11.4ha and has frontage to Louth Park Road. The LEP amendment would proceed as an amendment to Maitland LEP 2011 recommending an R5 Large Lot Residential zone with the Lot Size Map being amended to show 4000m² minimum lot size. A proposed zoning map is appended to this report as Appendix 2.

PART 1: OBJECTIVES or INTENDED OUTCOMES

The objectives of the planning proposal for the rezoning of lands at Louth Park Rd Louth Park are to:

1. To enable low density residential development on site;
2. Ensure any development would respond sensitively to the density and scale of existing adjoining urban development settlements;
3. Conserve the rural landscape of the surrounding locality;
4. Ensure any development is sensitive to the visual amenity of the surrounding locality;
5. To manage development of land supporting shallow underground mine workings.

This amendment will support the strategic approach of Council to accommodating significant population growth within the Maitland Local Government Area (LGA).

PART 2: EXPLANATION of PROVISIONS

The objectives of the proposed amendment will be achieved through an alteration to the **Zoning Map**, **Minimum Lot Size Map** and **Urban Release Area Map**. The proposed maps resulting from the rezoning of the site are included as Appendix 2.

The Maitland Local Environmental Plan 2011 is proposed to be amended by:

- (1) amending sheets 004B of the **Land Zoning Map** to show the subject land as zone **R5 Large Lot Residential** and inserting in the relevant clause of the written instrument;
- (2) amending sheets 004B of the **Lot Size Map** to illustrate the minimum lot size for the respective zone and site, being **4000m²** for land to be zoned R5 Large Lot Residential;
- (3) amending the minimum lot size legend of sheets 001, 002, 002A, 003, 004A, 004B, 004C, 004D, 005, 006, 006A, 007 of the Lot Size Map to include a new minimum lot size **(W) 4000m²**
- (4) amending sheets 004A & 004B of the **Urban Release Area Map** to exclude the subject land from the Louth Park Urban Release Area.

The provision of the R5 Large Lot Residential zone implemented under the Maitland LEP 2011 would be the equivalent of the 1(c) Rural Small Holding Zone under the provisions of the Maitland LEP 1993. The R5 zone and minimum lot size of 4000m² would provide for large lot residential housing consistent with the density and scale of residential development in the adjoining estate.

PART 3: JUSTIFICATION for PROPOSED REZONING

In accordance with the Department of Planning's 'Guide to Preparing Planning Proposals', this section provides a response to the following issues:

- Section A: Need for the planning proposal;
- Section B: Relationship to strategic planning framework;
- Section C: Environmental, social and economic impact; and
- Section D: State and Commonwealth interests.

Section A – NEED for the PLANNING PROPOSAL

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

The subject lands were identified as part of Louth Park Urban Investigation Area within the Maitland Urban Settlement Strategy (MUSS) 2008 as Category 1 Residential. The MUSS 2008 was endorsed by the Department of Planning on September 2009.

In February 2007 Council resolved to prepare a draft amendment to the Maitland LEP 1993 for the Louth Park UIA. The preparation of site studies followed Council's resolution, with investigations covering Flora/Fauna; Contamination; Aboriginal Heritage; Transport/Traffic; Geotechnical; Drainage; Noise and Dust; Flooding; Bushfire; Slope; Mine Subsidence; Rural/agricultural productivity; Visual amenity and Infrastructure.

At its meeting of 14 September 2010 Council endorsed the draft LEP and Planning Proposal for the Louth Park UIA and resolved to submit the Planning Proposal to the then Department of Planning (DoP) for Gateway Determination. On 16 December 2010 Council received notification from the DoP that the Planning Proposal would not proceed through Gateway, and that further investigations should be undertaken to explore possible higher lot yield options for the Louth Park UIA.

During this time Council were undertaking the 2 yearly review of the MUSS in response to policy changes made by Council and other levels of government, current urban development issues, local and regional demand for residential/industrial/commercial land and to effectively cater for the anticipated population growth to the year 2020. The MUSS review process included a public consultation period where (101) submissions were received. (51) of these submissions related to the Louth Park UIA and the current rezoning process. A review of the submissions resulted in, amongst other things, minor amendments to the boundary of the Louth Park UIA and inclusion of the subject lands as an addition to the urban infill and extension sites.

In accordance with the adopted urban infill and urban extension framework, the subject land is determined to be a Category 2 – Spot rezoning site, ie. a site that is a logical extension to the existing urban area with a range of lot yields between 5-20 lots. Council has had informal discussions with the DoP regarding this outcome, with the DoP indicating support for urban infill and extension and the progression of the rezoning of the subject land through this strategic framework.

Council received a submission for the subject lands on the 12 April 2011 requesting the subject land be considered separately. An assessment of the submission considered that the lands were appropriate for large lot residential purposes as an urban extension site. The assessment of the rezoning submission

against the objectives of the MUSS 2010 was undertaken. It is considered that the rezoning of the subject site re-affirms the principles of urban extension, with services to be extended from the existing urban land immediately to the north and east. This planning proposal is consistent with the MUSS and Council's adopted framework for urban extension sites.

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

It is considered that an amendment to the Maitland Local Environmental Plan 2011 through the gateway process and preparation of this planning proposal is the most effective and timely method to achieve the objectives of the Maitland Urban Settlement Strategy 2010, Council's adopted policy position on urban infill and extension sites and the desired future outcomes for the subjects lands at Louth Park Road, Louth Park.

The preparation of Council's Draft Maitland LEP 2011 within the standard template format is progressing along a 2011 completion timetable, as agreed with the Department of Planning. The Department has also endorsed Maitland's land release program which outlined the logical progression and sequencing of land release within the Maitland LGA. This program identified Maitland's potential residential infill and extension sites which were not included in the Draft Maitland LEP 2011, to progress independently of this process.

This planning proposal for the rezoning of the subject site re-affirms the principles of urban extensions, with services and access to be extended from the existing 1(c) Rural Small Holding zone (MLEP 1993), Large Lot Residential zone (MLEP 2011) land immediately to the north and east. An assessment of character, environment, infrastructure and design against the objectives outlined in the MUSS 2010 has been undertaken and can be achieved through this planning proposal. It is therefore considered that the planning proposal is consistent with the MUSS and Council's adopted framework for urban extension sites.

3. Is there a net community benefit?

No net community benefit test has been provided by the proponent. However, Council envisages that this planning proposal will result in a net community benefit. Specifically, the subject lands are considered as part of the adopted policy position for urban infill and extension sites identified within Council's Maitland Urban Settlement Strategy 2010. Therefore the proposed amendment is consistent with the outcomes of the MUSS 2010 and Council's adopted framework for urban extension sites.

The rezoning of the subject site would enable large lot residential development, contributing to the local economy given that a high proportion of residents within the subject area will be able to readily commute to the Maitland CBD. Additionally, this will assist in providing a local supply of labour for local businesses. The public interest reasons for preparing this draft plan include:

- The development of the subject lands will support the growing population within the central corridor of the Maitland LGA, with potentially 20 new allotments;
- The land has largely exhausted its historical agricultural use and the proposal to develop the land for urban purposes will result in an improved outcome and a higher order use of the land;
- The subject allotments provide the remaining constraints free land adjoining the existing large lot residential estate and provide a logical extension to this adjoining urban environment.

The implications of not proceeding with the planning proposal include:

- The potential of the proposed urban infill and extension site, as endorsed in the MUSS 2010, to not be achieved in the instance the proposal is not supported;
- The desired future outcomes of Council's long term strategic plans (MUSS 2010) for this area will not be achieved;
- The potential for a higher order land use within the subject lands would be lost, as the land is not large enough to support sustainable agricultural practices;
- The potential for improvements to the existing public infrastructure would be limited;
- Opportunities to improve and enhance the linkages between established residential areas of East Maitland and rural areas of Louth Park and further afield will be denied if the proposal is not supported.

Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

4. Is the planning proposal consistent with the objectives and action contained within the applicable regional or sub-regional strategy?

Lower Hunter Regional Strategy (NSW Dept of Planning) – October 2006

The Lower Hunter Regional Strategy identifies individual 'release areas' generally with an area greater than 50 hectares. However sites less than 50 hectares, such as the subject urban extension site are capable of being developed if they are consistent with the principles of the strategy and if they are identified within an endorsed local strategy.

The subject lands and the objectives of this planning proposal are consistent with the principles of the Lower Hunter Regional Strategy. The subject land at Louth Park Road, Louth Park is a site with potential for Urban Extension Development identified in an endorsed local strategy, being the MUSS 2010. Therefore there are capabilities for the site to be rezoning for urban purposes.

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

Council is currently preparing a draft community strategic plan in line with the new Integrated Planning and Reporting legislation and guidelines. In regards to land use strategies, the following documents provide the appropriate strategic policy framework to support this planning proposal.

Maitland Urban Settlement Strategy 2001-2021 (Maitland City Council) – 2010 Edition

The site is identified within the MUSS 2008 as part of the Louth Park Urban Investigation Area. The investigation area boundaries adjoin the Waterforde rural small holding estate to the north and east of Louth Park Rd, with this land being isolated from the remainder of the investigation area.

Council resolved on the 30 August 2010 that the subject lands be excised from the Louth Park UIA and included with additional sites suitable for urban infill and extension development. In accordance with the

urban infill and extension framework, the subject lands are determined as a Category 2- Spot Rezoning site, i.e. a site that is a logical extension to the existing urban area accommodating a range of lot yields between 5-50 lots.

Council received a request to rezone the subject land as an urban extension site on the 28 April 2011. An assessment of the submission considered that the site was appropriate for large lot residential purposes as an urban extension site. The assessment of the rezoning submission against the objectives of the MUSS has been undertaken. It is considered that the rezoning of the subject site re-affirms the principles of urban extension, with services to be extended from the existing 1(c) Rural Small Holding Zone (MLEP 1993), R5 Large Lot Residential zoned land (MLEP 2011) immediately to the north and east. This planning proposal is consistent with the MUSS and Council's adopted framework for urban extension sites.

6. Is the planning proposal consistent with applicable state environmental planning policies?

There are no existing or draft SEPPs that prohibit or restrict the proposed development as outlined in this planning proposal. An assessment of relevant SEPPs against the planning proposal is provided in the table below.

SEPP	Relevance	Consistency and Implications
SEPP (Infrastructure) 2007	Provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	Nothing in this planning proposal affects with the aims and provisions of this SEPP.
SEPP 1 – Development Standards	Provides flexibility in the application of planning controls operating by virtue of development standards	Nothing in this planning proposal affects the aims and provisions of this SEPP.
SEPP 14 – Coastal Wetlands	Ensures that coastal wetlands are preserved and protected. A SEPP 14 wetland is located to the north west of the Louth Park urban area.	The subject lands do not support SEPP 14 wetlands. Nothing in this planning proposal affects the aims and provisions of these SEPPs
SEPP 21 – Caravan Parks & SEPP 36 – Manufactured Home Estates	Encourages the orderly and economic use and development of land for caravan parks and manufactured home estates	Nothing in this planning proposal affects the aims and provisions of these SEPPs
SEPP 44 – Koala Habitat Protection	Encourages the proper conservation of vegetation that provides habitat for koalas	No trees or habitat indicative to supporting koala populations were identified on the subject lands. Nothing in this planning proposal affects the aims and provisions of these SEPPs
SEPP 55 – Remediation of Land	Promotes the remediation of contaminated land for the purpose of reducing the risk of harm to human health	There were no contaminated sites identified on the subject lands. It is considered that there is nothing in the planning proposal that is inconsistent with the aims and provisions of this SEPP.

SEPP 60 – Exempt and complying development	Provides for exempt and complying development types for local government areas that have not provided them through an LEP	Nothing in this planning proposal affects the aims and provisions of this SEPP.
SEPP 62 – Sustainable aquaculture	Encourages sustainable aquaculture	Nothing in this planning proposal affects the aims and provisions of this SEPP.
SEPP 64 – Advertising and signage	Ensures that signage is compatible with the desired amenity and character of an area	Nothing in this planning proposal affects the aims and provisions of this SEPP.
SEPP 65 – Design quality of residential flat development	Improves the design quality of residential flat development in NSW	Nothing in this planning proposal affects the aims and provisions of this SEPP
SEPP – Affordable Housing 2009	Provides a consistent planning regime for the provision of affordable rental housing	Nothing in this planning proposal affects the aims and provisions of this SEPP
SEPP – Building Sustainability Index	Encourages sustainable residential development	Nothing in this planning proposal affects the aims and provisions of this SEPP
SEPP – Housing for seniors or people with a disability	Encourages the provision of housing that will increase the supply and diversity of residences that meets the needs of seniors or people with a disability	Nothing in this planning proposal affects the aims and provisions of this SEPP
SEPP – Mining, Petroleum Production and Extractive Industries 2007	Aims to recognise the importance of mining, petroleum production and extractive industries to NSW	Nothing in this planning proposal affects the aims and provisions of this SEPP
SEPP – Rural Lands 2008	Facilitates the orderly and economic use and development of rural lands for rural and related purposes.	This plan would rezone rural land for urban purposes. As assessment has been undertaken of rural land and rural planning outcomes across the City of Maitland through the preparation of the Maitland Rural Strategy (2005) and the Maitland Urban Settlement Strategy (2010 ed), it is considered that the subject land is best utilised for large lot residential purposes.

Table One: *Relevant State Environmental Planning Policies*

7. Is the planning proposal consistent with applicable Ministerial Directions for Local Plan making?

There is no s.117 Ministerial Directions that the proposed development is inconsistent with. An assessment of relevant s.117 Directions against the planning proposal is provided in the table below.

Ministerial Direction	Aim of the Direction	Consistency and Implications
EMPLOYMENT and RESOURCES		
1.2 Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	The planning proposal identifies the rezoning of the subject land (1(b) secondary rural) MLEP 1993 and RU2 Rural Landscape MLEP 2011, for urban development. The proposal is therefore inconsistent with this direction. This inconsistency is justified as the subject land is identified in the MUSS for future urban land uses and is endorsed by the DoP and Council.
1.3 Mining, Petroleum Production and Extractive Industries		
1.5 Rural Lands	The objective of this direction is to protect the agricultural production value of rural land and facilitate the economic development of rural lands for rural related purposes	This planning proposal affects land within an existing rural zone and creates a rural residential and rural small holding zone. Consideration has been given to the Rural Planning Principles in SEPP Rural Lands, and whilst the planning proposal does seek to rezone rural land for urban purposes, this has been undertaken with reference to the Lower Hunter Regional Strategy Sustainability Criteria and the Maitland Rural Strategy, Maitland Urban Settlement Strategy and framework/criteria for urban infill/urban extension sites.
ENVIRONMENT and HERITAGE		
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Nothing in this planning proposal is inconsistent with this Direction.
2.3 Heritage Protection	The objective of this direction is to conserve items, objects, areas, and places of environmental heritage significance and indigenous heritage significance.	This planning proposal does not seek to alter the existing heritage provisions of the Maitland Local Environmental Plan 2011. The archaeological assessment report for the Louth Park UIA did not identify any sites on the subject lands. Nothing in the planning proposal is inconsistent with this Direction.
HOUSING, INFRASTRUCTURE and URBAN DEVELOPMENT		
3.1 Residential Zones	To encourage a variety and choice of housing types to provide for	Nothing in this planning proposal is inconsistent

Ministerial Direction	Aim of the Direction	Consistency and Implications
	existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development the environment and resource	with this Direction.
3.2 Caravan Parks and Manufactured Home Estates	To provide for a variety of housing types, and to provide opportunities for caravan parks and manufactured home estates.	Nothing in this planning proposal is inconsistent with this Direction.
3.3 Home Occupations	To encourage the carrying out of low-impact small businesses in dwelling houses.	Nothing in this planning proposal is inconsistent with this Direction
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs subdivision and street layouts achieve the sustainable transport objectives.	Nothing in this planning proposal is inconsistent with this Direction
HAZARD and RISK		
4.1 Acid Sulphate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils	The subject land has been identified as class 5. It is consider the planning proposal is consistent with the terms of this Direction.
4.2 Mine Subsidence and Unstable Land	The objective of this Direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence	The subject land is not within a Proclaimed Mine Subsidence District, however this Direction applies as a small portion of the land has been identified as containing shallow underground mine workings by the Mine Subsidence Board. It is considered the planning proposal is consistent with this direction as the draft LEP provides for a scale, density and type of development appropriate for the avoidance of potential subsidence areas.
4.3 Flood Prone Land	To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005	The land proposed to be rezoned for urban purposes is not within the flood planning area. This planning proposal is not inconsistent with this Direction.

Ministerial Direction	Aim of the Direction	Consistency and Implications
4.4 Planning for Bushfire Protection	To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and to encourage sound management of bush fire prone areas.	Parts of the subject land are identified as being bush fire prone land. Consultation has been undertaken with the NSW Rural Fire Service, who is supportive of the proposal. Further bushfire hazard and management measures will be enforced in the development of the subject sites in accordance with Planning for Bushfire Protection.
REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	The planning proposal is consistent with the Sustainability Criteria of the LHRS and consistent with the endorsed MUSS 2010 and endorsed strategic framework for urban infill and urban extension sites.
LOCAL PLAN MAKING		
6.1 Approval and Referral	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The rezoning proposal is consistent with the direction and shall be subject to the appropriate referrals by the Council as is required to satisfy the legislative requirements
6.2 Reserving Land for Public Purpose	To facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Nothing in this planning proposal is inconsistent with this Direction.
6.3 Site Specific Provisions	To discourage unnecessarily restrictive site specific planning controls	Nothing in this planning proposal is inconsistent with this Direction.
METROPOLITAN PLANNING		
7.1 Implementation of the Metropolitan Strategy		

Table Two: Relevant s.117 Ministerial Directions

Section C – ENVIRONMENTAL, SOCIAL and ECONOMIC IMPACT

8. *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?*

An ecological assessment report has been submitted for the Louth Park UIA, which included the subject lands. The report identified two (2) Ecological Endangered Communities (EEC's) within the south and eastern areas of the Louth Park UIA.

The subject lands support highly modified vegetation with limited understorey, no connectivity with the identified EEC's and mainly consisting of isolated trees or small stands of 2 or 3 trees. No threatened fauna species were recorded on the subject lands.

Council is satisfied that future large lot residential development is unlikely to cause any detrimental impacts to existing flora and fauna.

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

A suit of site studies were undertaken over the Louth Park UIA consistent with Council's adopted protocol for the preparation of site studies. Information addressing the issues of:

- Noise
- Dust
- Traffic/transport
- Contamination
- Drainage/stormwater
- Archaeological heritage
- Bushfire
- Flooding
- Slope
- Mine subsidence
- Visual amenity
- Utility infrastructure

concluded that minimal constraints affect the subject lands and that the extension of the adjoining urban environment is a logical development of the land.

It is anticipated that through appropriate mechanisms the protection and management of the biophysical environment will be in accordance with state and local policies. This includes the provision of large lots (4000m²) to:

- accommodate the retention of mature trees;
- to enable the siting of dwellings to adequately manage bushfire hazard; and
- protection of a small area of potentially unstable land due to past underground mining activities.

10. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal will generally achieve positive social and economic outcomes for the residents of Louth Park and the Maitland LGA, in the wider context of the local economy.

Council considers that the following social and economic benefits could result from this planning proposal:

- Provision of urban land to meet the objectives of the LHRs 2006 in relation to dwelling capacity projections and providing a diverse range of housing choice, thereby accommodating the growing local and regional population;
- Opportunities to those landowners whose land has exhausted its agricultural potential, thereby allowing a higher order use of their individual sites and a return on their long term investment;
- Improved vehicular and non-vehicular linkages within Louth Park, as well as the potential for improved public transport outcomes and linkages between Louth Park, Greenhills and the Maitland CBD; and
- The upgrade and extension of infrastructure and services for residents of Louth Park and surrounding localities, including the potential to improve the existing road network and road infrastructure servicing the locality.

The Aboriginal and European Heritage Assessment undertaken for the Louth Park UIA did not identify any sites on the subject lands. Council is therefore satisfied that there is no heritage constraints to developing the subject land for urban purposes.

Section D – STATE and COMMONWEALTH INTERESTS

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

Yes. The Planning Proposal will generate demand for public infrastructure associated with the development of urban land uses. Existing water and sewer services are available on adjoining land in the existing Waterforde rural small holding estate. Advice from service providers has confirmed capacity in the existing systems to satisfactorily service proposed urban development associated with the urban extension site.

As the allotments already support dwellings, electrical infrastructure is available and can be augmented to supply the anticipated additional dwellings associated with a large lot residential subdivision. It is considered the planning proposal demonstrates the efficient use of available infrastructure in the immediate locality to support an extension of the existing land use pattern onto the identified lands.

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

As previously discussed, the subject land formed part of the Louth Park UIA and rezoning submission to the DoP. The assessment process at the time included consultation with public authorities pursuant to the then Section 62 provisions of the Environmental Planning and Assessment Act 1979.

The public authorities consulted included:

- (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
- Hunter Water Corporation
- Bloomfield Collieries

No objections to the draft plan were raised by these authorities. The comments raised by the public authorities in relation to infrastructure, development controls and land uses related to the Louth Park UIA as a whole and not specifically to the identified urban extension area. It is anticipated that post a gateway determination Council will again consult with public authorities on the proposed rezoning given the length of time from the initial public authority consultation process and the change in the extent of the area.

PART 4: COMMUNITY CONSULTATION

In accordance with Section 57(2) of the Environmental Planning and Assessment Act 1979, this planning proposal must be approved prior to community consultation is undertaken by the local authority. It is considered the planning proposal meets the criteria and definition of being a low impact planning proposal, given the land is relatively constraints free and forms a logical extension the existing lot density of the adjoining large lot residential estate. Therefore, it is intended for this proposal to be exhibited for a period of fourteen (14) days.

In accordance with Council's adopted *Community Engagement Strategy (March 2009)*, consultation on the proposed rezoning will be to inform and received limited feedback from interested stakeholders. To engage the local community the following will be undertaken:

- Notice in the local newspaper;
- Exhibition material and relevant consultation documents to be made available at the East Maitland Branch Library and Council's Administration Building;
- Consultation documents to be made available on Council's website; and
- Letters, advising of the proposed rezoning and how to submit comments will be sent to adjoining landowners and other stakeholders that Council deem relevant to this rezoning proposal.

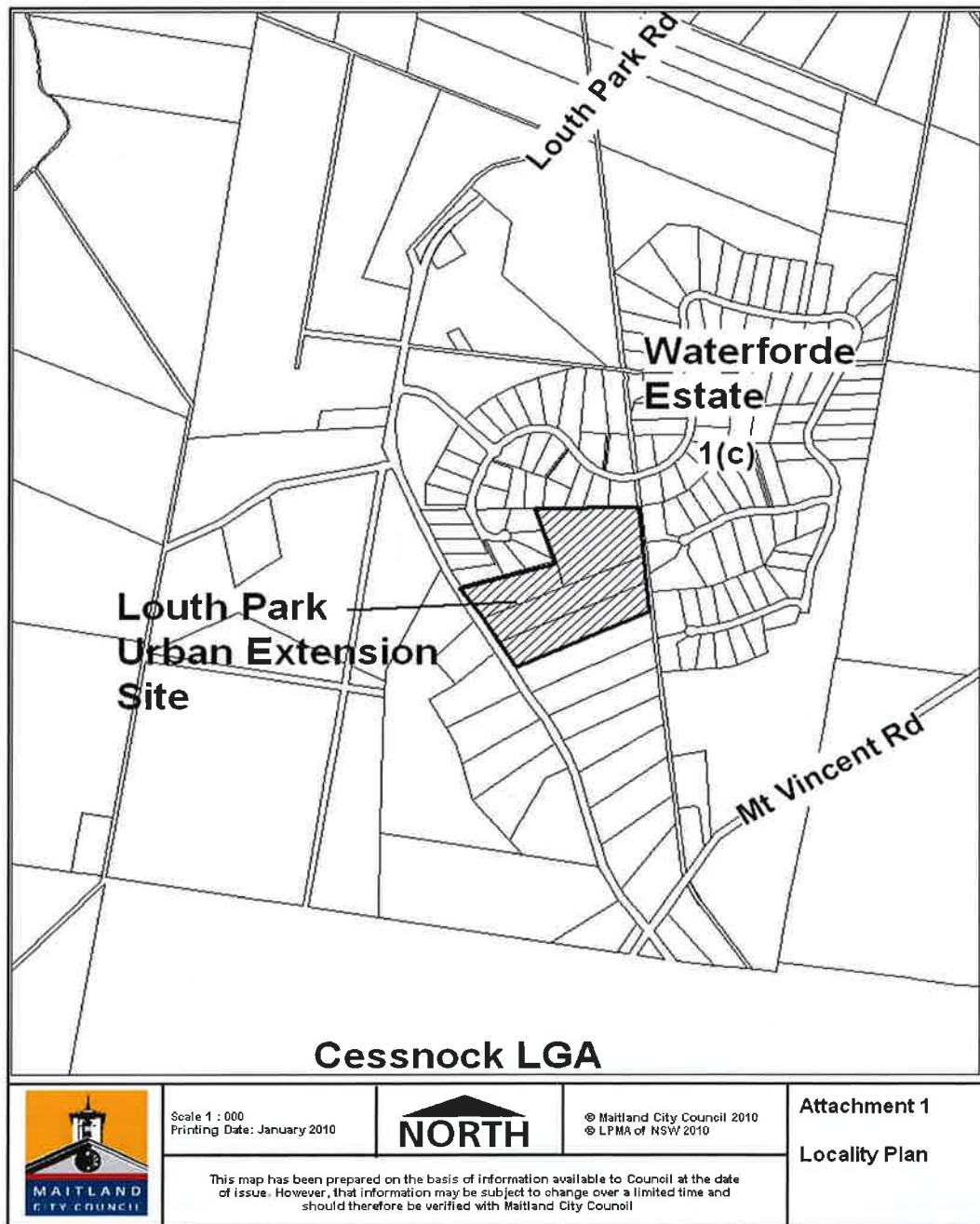
At the close of the consultation process, Council officers will consider all submissions received and present

a report to Council for their endorsement of the proposed rezoning before proceed to finalisation of the amendment.

The consultation process, as outline above does not prevent any additional consultation measures that may be determined appropriate as part of the 'Gateway' determination process.

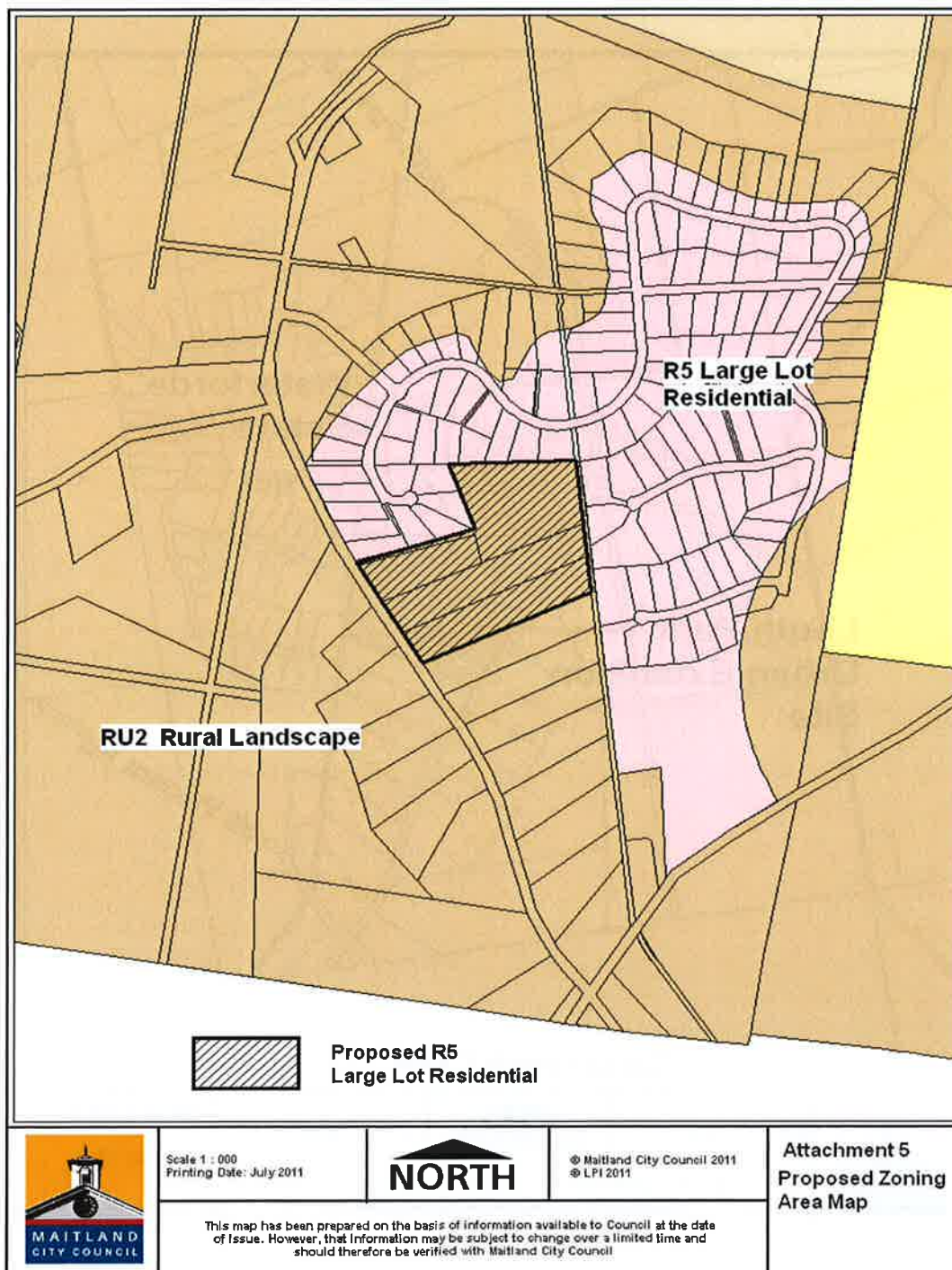
Appendix ONE

Location Map

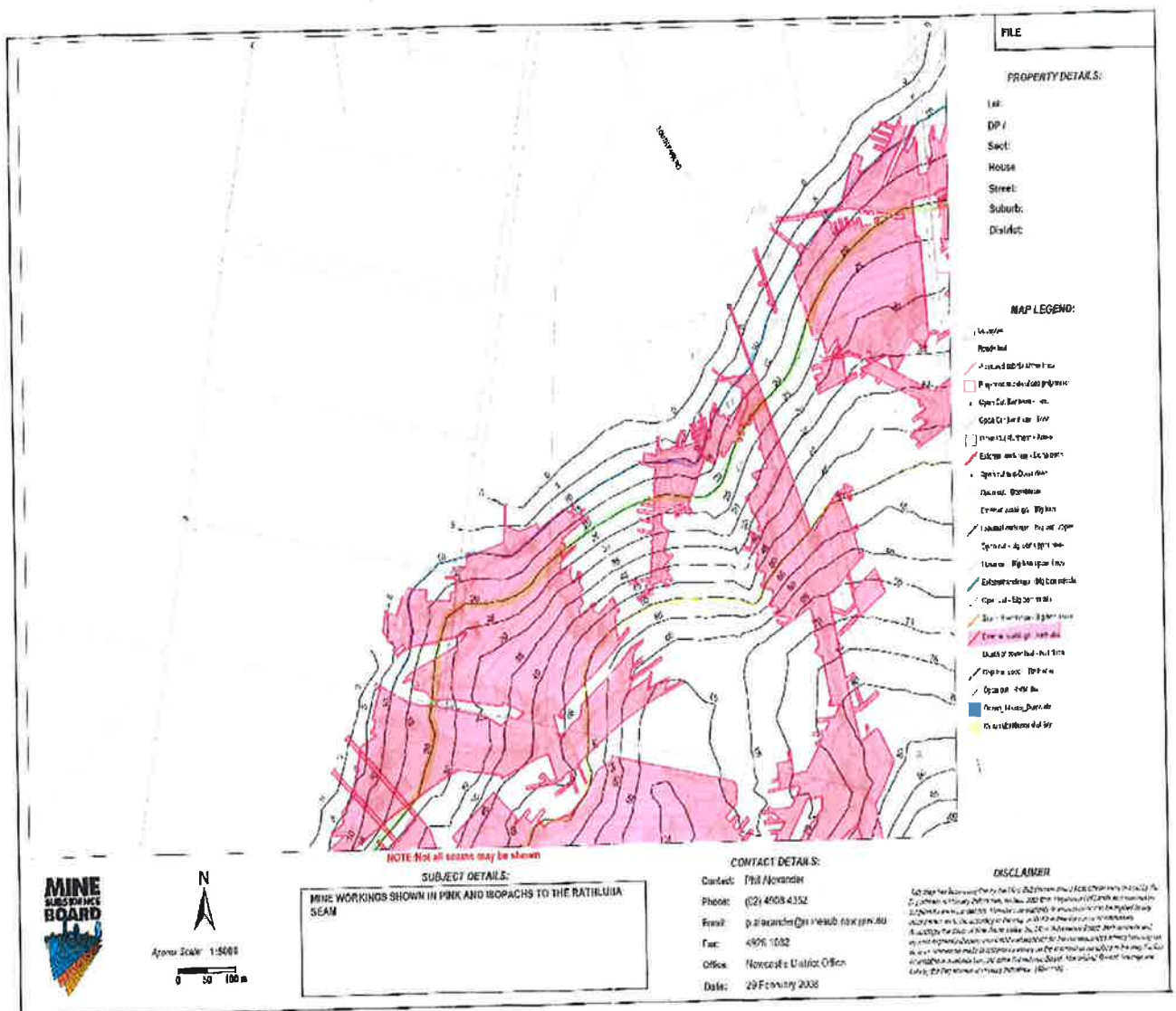


Appendix TWO

Proposed Zoning Map



Location of Underground Mine Workings



Appendix FOUR
Council Report and Resolution
[Insert Date of Council Resolution]

Appendix FIVE

Extracts from MUSS 2010 Additional Urban Infill and Urban Extension Sites

Identification of Potential Urban Infill and Urban Extension Development Sites

A city wide review of all non-residential zoned land located within or adjoining residential zoned land has been undertaken. The purpose of this review was to identify any lands which satisfied the principles and definition of urban extension or urban infill development and their suitability for potential future residential, business or employment uses.

As part of the exhibition process for the Draft Maitland Local Environmental Plan 2011, a number of sites have been investigated to be considered as urban infill or urban extension development. These sites satisfy the principles and assessment criteria for urban infill and urban extension developments and have hence been included within this 2010 edition of the MUSS.

The sites considered suitable for potential Urban Infill and Urban Extension development are shown in Figure 30 Urban Infill and Urban Extension Potential Development Sites and Table 10 below. These identified sites will be considered for potential future development pending the lodgement of a rezoning proposal that justifies the lands as urban infill or urban extension with consideration of the sites opportunities and constraints.

