

WADALBA, 145 Johns Road Wadalba, Lot 27 DP 663622

Proposal Title : **WADALBA, 145 Johns Road Wadalba, Lot 27 DP 663622**

Proposal Summary : **The proposal is to rezone land at 145 Johns Road Wadalba from RU6 Transition to E2 Environmental Conservation, R2 Low Density Residential and SP2 Infrastructure - Local Road.**

PP Number : **PP_2015_WYONG_003_00** Dop File No : **15/02647**

Proposal Details

Date Planning Proposal Received : **28-Jan-2015** LGA covered : **Wyong**

Region : **Hunter** RPA : **Wyong Shire Council**

State Electorate : **WYONG** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :

Suburb : City : Postcode :

Land Parcel : **145 Johns Road Wadalba - Lot 27 DP 663622**

DoP Planning Officer Contact Details

Contact Name : **G P Hopkins**

Contact Number : **0243485002**

Contact Email : **garry.hopkins@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Scott Duncan**

Contact Number : **0243505547**

Contact Email : **DUNCANS@wyong.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name : **Other**

Regional / Sub Regional Strategy : **Central Coast Regional Strategy** Consistent with Strategy : **Yes**

MDP Number :	Date of Release :	
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :	Residential
No. of Lots : 0	No. of Dwellings (where relevant) :	40
Gross Floor Area : 0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The land was combined with other land to form PP_2013_WYONG_013_00 for which a Gateway was issued on 20 December 2013.**

The Department's Gateway letter to Council flagged the potential for the combined planning proposal to be split should the other component proceed at a slower pace. This is what is now proposed.

The site adjoins existing residentially zoned land and can be serviced. It is not illogical to split this land from the rest of PP_2013_WYONG_013_00.

POTENTIAL HOME SITES PROGRAM

A large portion of the site the subject of PP_2013_WYONG_013_00 is one of seven 'immediate action sites' identified under the Government's Potential Home Sites Program. The combined site is identified as precincts 2A, 2B and 3B in the North Wyong Shire Structure Plan for release in the medium term and expected to be zoned in the next 15 years.

145 Johns Road Wadalba adjoins the land considered under the Potential Home Sites Program.

External Supporting Notes : **Estimate of 40 dwellings is rough as boundaries between zones are yet to be confirmed.**

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement is adequate.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation is adequate however reference should be made to satisfactory arrangements clause and the provision of designated State public infrastructure by way of**

the urban release area map.

The lot size of the E2 land should be confirmed.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.1 Environment Protection Zones

2.3 Heritage Conservation

2.4 Recreation Vehicle Areas

3.1 Residential Zones

3.2 Caravan Parks and Manufactured Home Estates

3.3 Home Occupations

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.2 Mine Subsidence and Unstable Land

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 44—Koala Habitat Protection

SEPP No 55—Remediation of Land

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

117 directions :

1.2 Rural zones - Proposes rezoning rural land. Consult with Department of Primary Industries - Agriculture.

1.3 Mining Petroleum Production and Extractive Industries - Would affect the permissibility under the Mining SEPP as agriculture would no longer be permitted. Consult with Trade and Investment - Resources and Energy.

2.1 Environment Protection zones - Further investigation and consultation with OEH required to determine boundary between E2 and R2.

2.3 Heritage Conservation - Further investigation of Aboriginal heritage required. Consult with OEH and, as required, Aboriginal groups.

3.1 Residential zones - Confirm boundaries between R2 and E2.

4.1 Acid Sulfate Soils - Part land in ASS Planning Map Class 5.

4.2 Mine Subsidence and Unstable Land - Located in Mine Subsidence District. Consult with MSB.

4.4 Planning for Bushfire Protection - Consult with RFS.

5.1 Implementation of Regional Strategies - Confirm zone boundaries and consistency with North Wyong Shire Structure Plan.

SEPPs:

SEPP 44 Koala Habitat Protection - Ensure consistency

SEPP 55 Contaminated Land - Former primary production site - ensure consistency with the SEPP.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Zone, lot size, land release and, if required, acquisition map sheets to be prepared.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **28 day proposed and supported.**

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **TIMELINE**

A timeline has been provided proposing 12 months to finalise the plan. This is supported.

DELEGATION

Council has not sought delegation however delegation was issued for PP_2013_WYONG_013_00 and would be appropriate in this case too.

GATEWAY

A revised Gateway for PP_2013_WYONG_013_00 is not proposed to be issued at the present time. Council and proponents have indicated potential further amendment to the area of the PP.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The plan will amend Wyong LEP 2013.**

Assessment Criteria

Need for planning proposal : **The planning proposal is to split some land from PP_2013_WYONG_013_00 into a separate planning proposal due to delays.**

Consistency with strategic planning framework :

The land is part within Precinct 2B and part within a green corridor and habitat network/local conservation link in the North Wyong Shire Structure Plan. The NWSSP staging plan shows Precinct 2B as a medium term proposal (expected to be zoned in the next 15 years).

The land adjoins land considered as part of Government's Potential Home Sites Program which supported a planning proposal initiated through Council and based on the NWSSP.

The NWSSP allows the Government and Wyong Council to accelerate the release of land if satisfactory arrangements are in place to forward fund the appropriate infrastructure.

The proposed environmental zoning will aid in the achievement of a local corridor while the proposed residential zoning will provide housing.

Environmental social economic impacts :

The land adjoins the Wadalba Wildlife Corridor and is shown in the Wadalba Wildlife Corridor Plan of Management as 'Stage 2'. Further consultation and assessment is required to determine the boundary between E2 and R2 zones. A VPA is proposed to resolve issues surrounding ownership and management of the addition to the corridor.

Investigation/consultation is required to resolve Aboriginal heritage, bushfire, mine subsidence, acid sulfate soils, land contamination and biodiversity issues and to satisfy SEPPs/117 directions.

Realignment of Johns Road in the south-west of the site is proposed requiring some land to be transferred to Council.

Assessment Process

Proposal type : Precinct Community Consultation Period : 28 Days

Timeframe to make LEP : 12 months Delegation : DDG

Public Authority Consultation - 56(2) (d) :
Ambulance Service of NSW
Department of Education and Communities
Office of Environment and Heritage
NSW Department of Primary Industries - Agriculture
NSW Department of Primary Industries - Minerals and Petroleum
Mine Subsidence Board
Fire and Rescue NSW
Department of Health
NSW Police Force
NSW Rural Fire Service
Transport for NSW
Transport for NSW - Roads and Maritime Services

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed ? Yes

If no, provide reasons :

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **The proposal is proceeding on the basis that infrastructure will be forward funded. While now only a small parcel of land is proposed to be rezoned residential in this planning proposal, it forms part of a wider precinct and the need for contributions for state infrastructure appear likely. Consultation with infrastructure agencies will be required as will urban release area mapping.**

Documents

Document File Name	DocumentType Name	Is Public
Covering Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 2.4 Recreation Vehicle Areas**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**

Additional Information : **Proceed subject to:**

Prior to undertaking public exhibition Council is to confirm details and update the planning proposal with:

- maps for proposed zones, lot sizes, urban release area and, if required, land acquisition
- reference to satisfactory arrangements and the provision of designated State public infrastructure in the explanation of provisions
- additional information on the relationship of the land to the Wadalba Wildlife Corridor.

Update consideration of the consistency with s117 directions following preparation of supporting additional information and following public authority consultation:

- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.2 Reserving Land for Public Purposes**

Prior to undertaking public exhibition, update the planning proposal to consider consistency with SEPP 44 Koala Habitat Protection.

Council is to ensure that the planning proposal satisfies the requirements of SEPP 55

including, if required, preparation of an initial site contamination report to demonstrate the site is suitable for rezoning to the proposed zone.

Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with relevant s117 directions

Ambulance Service of NSW - infrastructure requirements
Department of Education and Communities - infrastructure requirements
Office of Environment and Heritage - biodiversity, wildlife corridor, Aboriginal heritage
NSW Department of Primary Industries - Agriculture - 117 direction 1.2
Trade and Investment - Resources and Energy - 117 direction 1.3
Mine Subsidence Board - 117 direction 4.2
Fire and Rescue NSW - Infrastructure
Department of Health - Infrastructure
NSW Police Force - Infrastructure
NSW Rural Fire Service - 117 direction 4.4
Transport for NSW - Infrastructure
Transport for NSW - Roads and Maritime Services - Infrastructure

Consultation with infrastructure agencies is to acknowledge that the proposal is related to a broader precinct.

28 days community consultation.

No public hearing required.

Timeframe: 12 months

Supporting Reasons :

*

Signature:



Printed Name:

G. P. HOPKINS

Date:

9.2.2015

