

Planning Proposal – Ramsgate Estate

Lake Macquarie Local Environmental Plan 2014

Pre-Gateway Version

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|-------------------------------|---|
| Local Government Area | Lake Macquarie City |
| Name of Draft LEP: | Lake Macquarie Local Environmental Plan 2014 – Ramsgate Estate |
| Subject Land: | <p>'Ramsgate Estate'</p> <p>3 Clarence Street, Wyee Point</p> <p>DP 1596</p> <p><i>Full list of subject land and landowners shown at Appendix 1</i></p> |
| Owners: | <p>FTLR Pty Ltd</p> <p>Geo Developments Pty Ltd</p> <p>Other private landowners</p> <p>Lake Macquarie City Council</p> |
| Applicant: | Travers Environmental |
| Council Folder Number: | RZ/4/2019 |
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| Prepared by: | Strategic Land Use Planner – Kirra Somerville |

Part 1 – Objective of the Planning Proposal

The objective of the planning proposal is to amend *Lake Macquarie Local Environmental Plan 2014* (LMLEP 2014) to increase conservation land and facilitate low density residential development in the Ramsgate Estate. The planning proposal will increase the amount of conservation land by decreasing the area zoned for residential development, but increasing the permitted dwelling density. Total yield is expected to increase from 141 to 181 dwellings.

Part 2 – Explanation of Provisions



Figure 1 - Ramsgate Estate - Proposed zones overlaid on existing zones

The amendment proposes the following changes to LMLEP 2014:

| | |
|--------------------------------|--|
| Land Zoning Map | <p>Amending LMLEP 2014 Land Zoning Map in accordance with the proposed zoning map shown at Map 4.</p> <p>Part of the Ramsgate Estate will be rezoned from R2 Low Density Residential and E4 Environmental Living to E2 Environmental Conservation.</p> <p>The majority of existing E4 Environmental Living zoned land will be rezoned to R2 Low Density Residential.</p> |
| Lot Size Map | <p>Amending LMLEP 2014 Lot Size Map in accordance with the proposed Lot Size map, shown at Map 6, which indicates the following provisions:</p> <p>E2 Environmental Conservation – 40 ha</p> <p>R2 Low Density Residential – 450m²</p> |
| Height of Buildings Map | <p>Amending LMLEP 2014 Height of Buildings Map in accordance with the proposed height map, shown at Map 8, which indicates the following provisions:</p> <p>E2 Environmental Conservation – 5.5m</p> <p>R2 Low Density Residential – 8.5m</p> |

| | |
|-------------------------------|---|
| Urban Release Area Map | Amending LMLEP 2014 Urban Release Area Map to remove the urban release area from the proposed E2 Environmental Conservation zone. |
|-------------------------------|---|

The areas of the existing and proposed zones within Ramsgate Estate are as follows:

| Existing Zone | Area – Subject Land (ha) | Proposed Zone | Area – Subject Land (ha) | +/- (ha) |
|-------------------------------|---------------------------------|-------------------------------|---------------------------------|-----------------|
| E2 Environmental Conservation | 17.6 | E2 Environmental Conservation | 19.75 | +2.15 |
| E4 Environmental Living | 7.86 | E4 Environmental Living | 0 | -7.86 |
| R2 Low Density Residential | 10.38 | R2 Low Density Residential | 16.09 | +5.71 |
| <i>Total</i> | 35.84 | | 35.84 | |

For the purposes of this planning proposal, the existing E4 zoned land will be hereafter referred to as the West Precinct. The existing R2 zoned land will be hereafter referred to as the East Precinct.

Part 3 – Justification for the Provisions

A. NEED FOR THE PLANNING PROPOSAL

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

Rezoning from R2 Low Density Residential and E4 Environmental Living to E2 Environmental Conservation

- The rezoning of land zoned E4 Environmental Living and R2 Low Density Residential to E2 Environmental Conservation will increase conservation land by approximately 21,500m², effectively reducing land zoned for development and protecting environmental values. This increase in E2 zoned land will allow for greater retention of native vegetation and habitat on the site, including an EEC (Swamp Sclerophyll Forest on Coastal Floodplain), a number of habitat trees, and coastal wetland identified under SEPP (Coastal Management) 2018. The subject land is well connected to other native vegetation and habitat, and is part of a native vegetation corridor.
- The current E4 zoned land has a minimum lot size of 1,250m², which is significantly less than the 2ha standard minimum lot size for the E4 zone used elsewhere in the City. The smaller lot size is more conducive to residential development rather than environmental living, and is inconsistent with the objectives of the E4 zone. Council staff have advised that retention of vegetation within such lot sizes is generally unsuccessful, and that development under the existing controls is likely to lead to extensive or total clearance of vegetation. Considering the land clearing implications of the existing minimum lot size, it is desirable to reduce the development footprint of the existing E4 zoned land by rezoning to R2 as proposed.
- The land proposed to be zoned E2 is included in DA/1430/2018 as proposed offset lands. Offset agreements do not negate the need for rezoning – rather, by rezoning

the land to E2, environmental protections for the land are strengthened regardless of the outcome of DA/1430/2018.

Rezoning from E4 Environmental Living to R2 Low Density Residential

- The Ramsgate Local Environmental Study 2010 (LES) assessed a number of land use options including different combinations of Conservation Environmental Living, and Residential. The study recommended the existing zoning combination as the Environmental Living zone was considered to maintain vegetation and habitat while providing a transition between residential development to the east and conservation to the west. However, the LES did not account for the 1,250m² minimum lot size – an anomaly which somewhat negates its justification, as discussed above.
- The assessment of land use options found that residential zoning for the developable area of the site would make highest economic use of the land, provide more population to help deliver local services, and be consistent with the existing settlement in Wyee Point. The disadvantages identified were the removal of vegetation and habitat and the requirement for offsets. Considering the similar implications of the existing 1,250m² minimum lot size for the onsite vegetation, as well as the reduced R2 footprint proposed, it is considered that rezoning from E4 to R2 will achieve the positive economic, social, and urban form outcomes with reduced ecological impact.
- The rezoning of the land from E4 to R2 is further supported by the landowner's acquisition of a 44ha parcel to the west, which will form contiguous conservation offset lands (subject to final VPA) (see Figure 2).

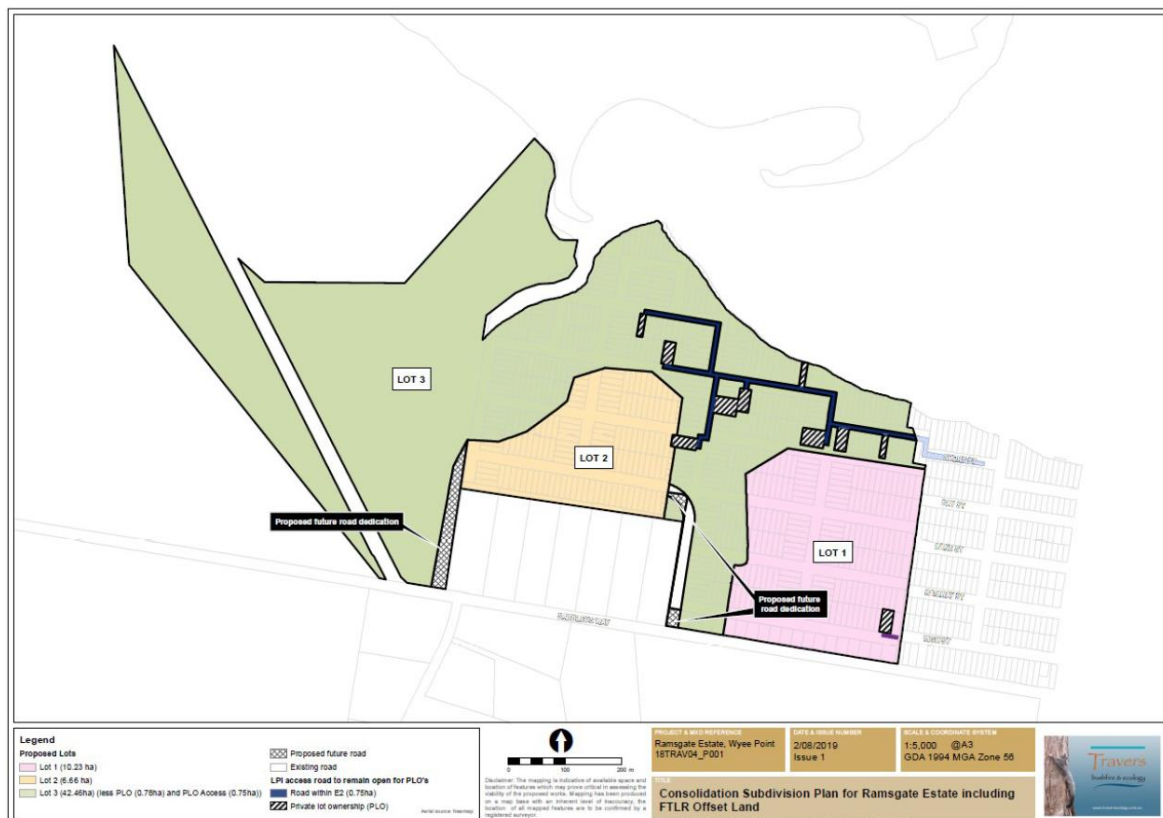


Figure 2 – Re-subdivision under DA/1430/2018 – Two development lots and one conservation offset lot. Development lots reflect the proposed zone boundaries rather than existing zone boundaries.

2. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report??

The Ramsgate Local Environmental Study (LES) was finalised in 2010 as part of Amendment 50 to LMLEP 2004. The LES assessed a number of land use options, including different combinations of 7(1) Conservation (Primary), 7(5) Environmental Living, and 2(1) Residential.

The study recommended the existing zonings (in their previous iterations of 7(1) Conservation (Primary), 7(5) Environmental Living, and 2(1) Residential). The Environmental Living zone was considered to maintain vegetation and habitat while providing a transition between residential development to the east and conservation to the west. However, the LES did not recommend the existing 1,250m² minimum lot size – an anomaly which somewhat negates its justification as discussed above.

The assessment of land use options found that 2(1) Residential zoning for both development precincts would make highest economic use of the land, provide more population to attract local services, and be consistent with the existing settlement. The disadvantages identified were the removal of vegetation and habitat and the requirement for offsets. Considering the implications of the existing 1,250m² minimum lot size in the existing E4 zone, as well as the reduced R2 footprint proposed, it is considered that the proposed rezoning will have preferable implications for biodiversity in the subject land.

The site is also an Urban Release Area and is part of Council's Urban Development Program.

B. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2036

The proposed rezoning is consistent with Direction 14 (Protect and Connect Natural Areas) by identifying biodiversity values and protecting areas of high environmental value (Action 14.1) and securing the long-term protection of a biodiversity corridor (Action 14.5).

Greater Newcastle Metropolitan Plan

The site is identified as a Housing Release Area within the Housing Opportunities map in the Greater Newcastle Metropolitan Plan, and will assist in meeting the projections of 13,700 new dwellings in Lake Macquarie by 2036. R2 zoning will achieve density closer to the Plan's target of 15 dwellings per hectare.

The proposed rezoning is considered consistent with Strategy 12, which seeks to enhance the blue and green grid and the urban tree canopy. Increasing the land zoned E2 will contribute to the conservation of the natural environment, a key green infrastructure outcome of the Greater Newcastle Metropolitan Plan.

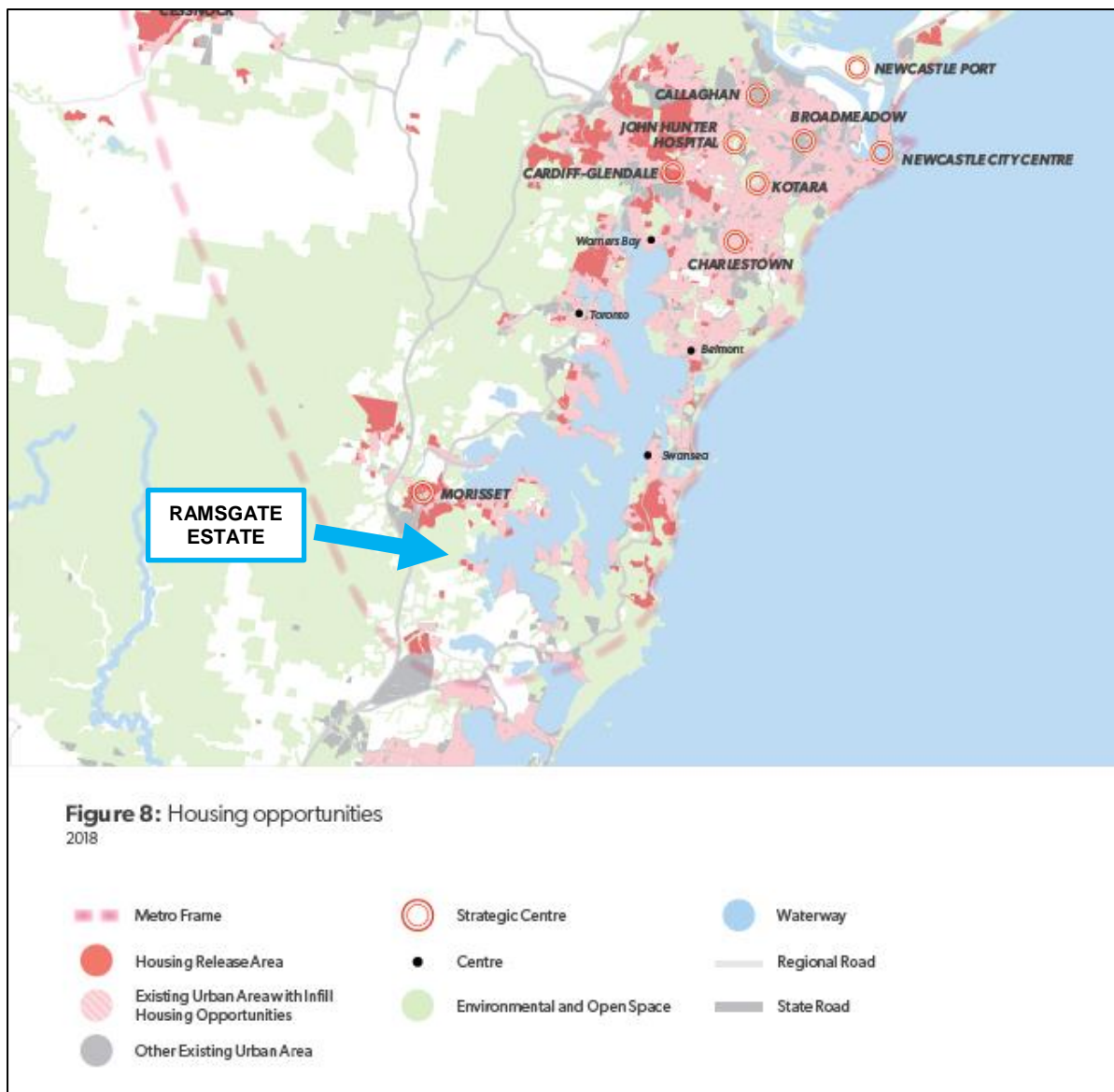


Figure 4 – Extract from Greater Newcastle Metropolitan Plan – Housing Opportunities

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

Community Strategic Plan 2017-2027

The proposal is considered consistent with Council's Community Strategic Plan as it seeks to expand conservation land in order to protect and enhance the natural environment. It contributes to increased land with conservation status – a key measure of the Unique Landscape value.

Imagine Lake Mac

Wyee Point is listed as an urban intensification area on the South West Growth Area Map.

The proposed R2 zone in the West Precinct is shown to have high ecological value within the Blue and Green Network Map. Imagine Lake Mac states that the clearing of high ecological value areas should be avoided, however impacts can be offset should planning priorities take precedence. In this instance, the proposed rezoning strengthens

the conservation status of the broader site. The E2 zoned land that separates the West Precinct and East Precinct will maintain a north-south corridor on the site.

The proposed R2 zone in the West Precinct has some inconsistencies with the aspiration for close connections – of housing co-located with services, facilities, and jobs to reduce travel times and reliance on private motor vehicles. Wyee Point is relatively isolated from services facilities, and jobs. However, given that the site currently has an anticipated yield of 141 residential lots, it is considered that the increase in dwellings may support an increase in public transport services and increase feasibility for the development of the nearby B1 zone.

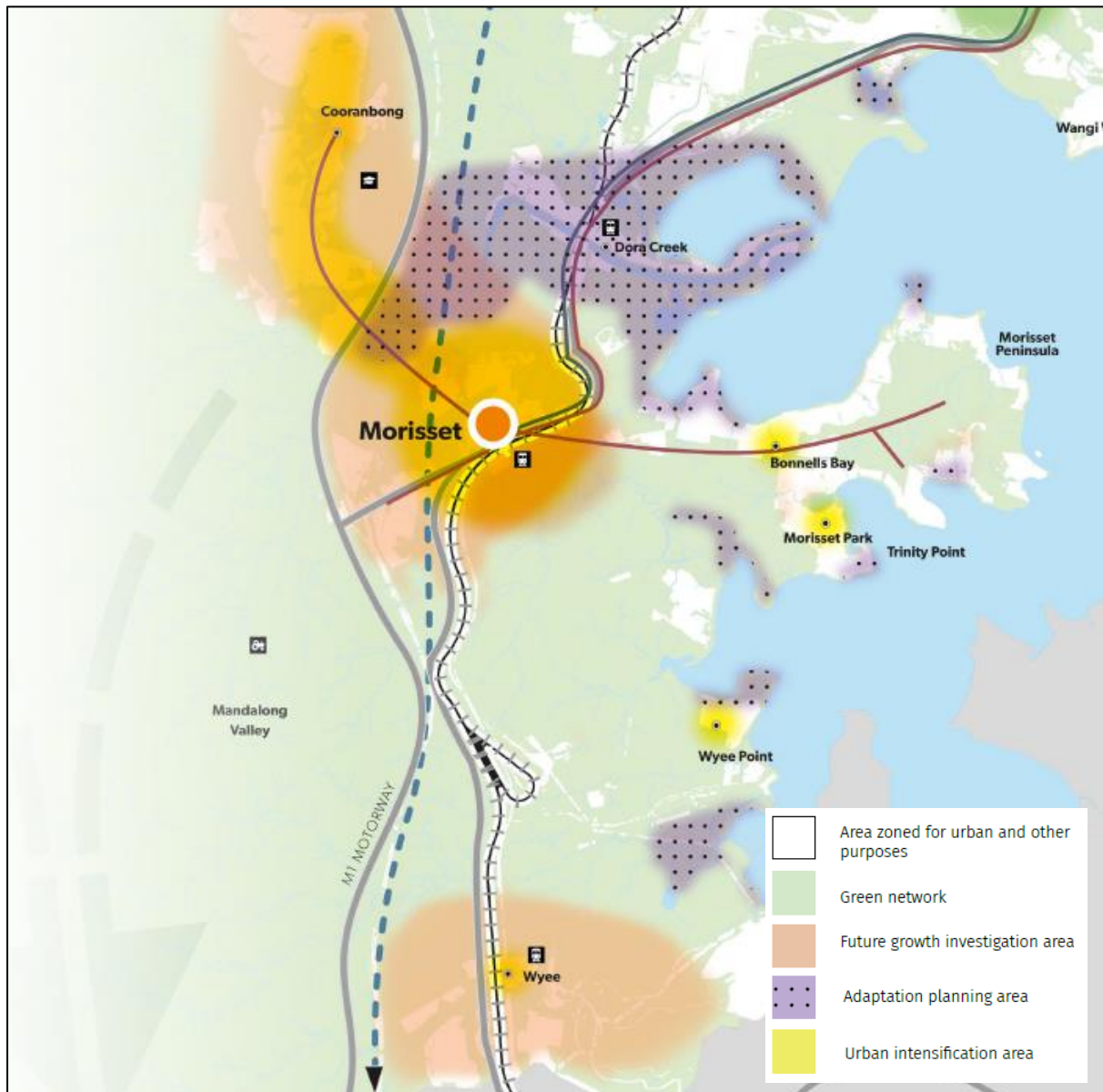


Figure 3 – Extract from Imagine Lake Mac – South West Growth Area

Draft Housing Strategy

The proposed rezoning will contribute an additional 40 dwellings (approx.) to greenfield supply in the LGA. Lake Macquarie has an estimated capacity to supply between 33,000 and 52,000 dwellings by 2050, of which greenfield development will supply between 24 and 37 per cent.

Council will investigate the application of SEPP 70 (Affordable Housing Schemes) to the site in accordance with Priority 4: Increasing Affordable Rental Housing and Home Ownership.

5. Will the planning proposal give effect to Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Wyee Point is identified as an urban intensification area on the South West Growth Area Map in Council's Draft Local Strategic Planning Statement. The proposal is consistent with the following planning priorities:

- Planning Priority 2: A City to Call Home
Strategy: *Work with industry to deliver future housing growth through infill development in and around centres and train stations and new housing areas in the North West and South West growth areas.*
- Planning Priority 6: A City with a Vast Natural Environment
Strategies: *Avoid and minimise the impact of development on areas of high ecological value, while supporting opportunities to enjoy our natural areas and Protect and enhance biodiversity areas and corridors.*

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

An assessment has been undertaken to determine the level of consistency the proposal has with relevant State Environmental Planning Policies (SEPPs). The assessment is provided below:

| SEPP | Relevance | Comment |
|------------------------------------|--|--|
| SEPP 19 – Bushland in Urban Areas | Aims to prioritise the conservation of bushland in urban areas, and requires consideration of aims in preparing a draft amendment. Council should give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland. | The proposed increase in E2 zoned land will provide more environmental protections to a greater proportion of bushland when compared with existing zoning. The proposed E2 zoning also captures the EEC that has been identified in accordance with the objectives of the SEPP. The planning proposal is considered consistent with the general and specific aims of the SEPP. |
| SEPP 44 - Koala Habitat Protection | Aims to encourage the proper conservation and management of areas of natural vegetation that provide koala habitat. | The site does not represent potential koala habitat nor core koala habitat as defined in SEPP 44. The proposal is considered consistent with this SEPP. |
| SEPP 55 – Remediation of Land | Establishes planning controls and provisions for the remediation of | A Phase 1 contamination assessment will be required to determine potential contamination on the site. |

| SEPP | Relevance | Comment |
|--------------------------------|--|--|
| | contaminated land. | Council has considered SEPP 55 and is satisfied that a preliminary contamination study carried out following Gateway determination will satisfy the requirements of Clause 6. Should further studies be recommended by the findings of the preliminary contamination study, these would be carried out in accordance with the Managing Land Contamination Planning Guidelines. |
| SEPP (Coastal Management) 2016 | This SEPP ensures that development in the NSW coastal zone is appropriate and suitably located to ensure that there is a consistent and strategic approach to coastal planning and management. | The Planning Proposal is considered consistent with the aims and provisions of the SEPP. |

7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following assessment has been undertaken to determine the level of consistency the proposal has with relevant Ministerial Directions.

| Ministerial Direction | Relevance | Implications |
|---|---|---|
| 1.3 – Mining, Petroleum and Extractive Industries | The direction requires consultation with the Director-General of the Department of Primary Industries where a draft LEP will restrict extractive resource operations. | The proposal does not propose changes that will impact mining, petroleum production or extractive industries. The increase in density will have a negligible effect on such production. The proposal is considered consistent with this Direction. |
| 2.1 – Environmental Protection Zones | The direction requires that a draft LEP contain provisions to facilitate the protection of environmentally sensitive land. | The proposal seeks to increase E2 zoned land, effectively providing more environmental protections to a greater proportion of bushland when compared with existing zoning. The proposal is considered consistent with the objective and requirements of this Direction. |

| Ministerial Direction | Relevance | Implications |
|---|--|---|
| 2.2 - Coastal Management | This direction seeks to give effect to the objects of the Coastal Management Act 2016. | The proposal seeks to decrease development on land that has been identified as coastal wetlands. The retreat of developable land from the wetlands reflects the objects of the Coastal Management Act 2016. |
| 2.3 – Heritage Conservation | The direction requires that a draft LEP include provisions to facilitate the protection and conservation of aboriginal and European heritage items. | The area proposed to be rezoned is not identified in Council's Sensitive Aboriginal Landscape mapping, however the foreshore within the north part of Ramsgate Estate is identified as Sensitive Aboriginal Landscape. Further Aboriginal consultation and investigation should occur as part of the amendment process. |
| 2.4 – Recreation Vehicle Areas | The direction restricts a draft LEP from enabling land to be developed for a recreation vehicle area. | There are no Recreational Vehicle Areas within the site, nor are any proposed. |
| 3.1- Residential Zones | The direction requires a draft LEP to include provisions that facilitate housing choice, efficient use of infrastructure, and reduce land consumption on the urban fringe. | The proposal minimises the impact of residential development on the environment by reducing the development footprint and increasing conservation lands. The proposal reduces the consumption of land for housing by increasing density, while also making use of existing infrastructure. |
| 3.2 – Caravan Parks and Manufactured Home Estates | The direction requires a draft LEP to maintain provisions and land use zones that allow the establishment of Caravan Parks and Manufactured Home Estates. | The proposal does not propose caravan parks or manufactured home estates. |
| 3.3 – Home Occupations | The direction requires that a draft LEP include provisions to ensure that Home Occupations are permissible without consent. | The proposal does not change provisions relating to Home Occupation. This use is permissible without consent in both E4 and R2 zones. |

| Ministerial Direction | Relevance | Implications |
|--|--|---|
| 3.4 – Integrating Land Use and Transport | The direction requires consistency with State policy in terms of positioning of urban land use zones. | <p>It is recommended that further studies should address the objectives of this direction in accordance with section 5(b) during the course of the amendment.</p> <p>The proposal is considered inconsistent with objectives 1(b) and 1(c) of this direction. By increasing density in a relatively isolated area, the proposal may increase travel demand, including the number of trips and distances travelled, especially by private vehicles. However, the proposal is considered to pose a net benefit to the area through improved conservation outcomes, better use of existing infrastructure, and support in the delivery of DA-approved commercial/retail services in Wyee Point.</p> |
| 4.1 Acid Sulfate Soils | Aim to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. | <p>The section of the site north of Clarence Street is affected by acid sulfate soils Class 2.</p> <p>The Acid Sulfate Soils Planning Guidelines recommend the avoidance of development intensification on affected land.</p> <p>The proposal seeks to rezone approx. 6,664m² of Class 2 land from E4 to E2, significantly reducing potential disturbance of that land.</p> <p>However, a section of approx. 3,629m² E4 zoned land will be rezoned as R2, which may increase disturbance of that part.</p> <p>An acid sulfate soils study will be provided to the Director-General prior to community consultation in accordance with section 6 of this Direction.</p> <p>This issue is also addressed via LMLEP 2014 clause 7.1 triggering compliance with the Acid Sulfate Soils Guidelines in the assessment of development proposals. These controls will not be altered by this planning proposal.</p> |
| 4.2 – Mine Subsidence and Unstable Land | The direction requires consultation with the Subsidence Advisory NSW where a draft LEP is proposed for land within a mine subsidence district. | The site is located in the West Lake Mine Subsidence District. Further consultation with the Mine Subsidence Board will be required. |

| Ministerial Direction | Relevance | Implications |
|--|---|--|
| 4.3 - Flood Prone Land | Aims to ensure that development of flood prone land is consistent with the NSW Government Flood Prone Land Policy and the Principles of the Floodplain Development Manual 2005 and to ensure that the provision of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. | All flood prone land within the site is zoned E2, or E4 proposed to be zoned E2. The proposal is considered consistent with this Direction. |
| 4.4 – Planning for Bushfire Protection | The direction applies to land that has been identified as bushfire prone, and requires consultation with the NSW Rural Fire Service, as well as the establishment of Asset Protection Zones. | The site is bushfire prone. Further assessment will be required to ensure bushfire risks can be addressed. Consultation with RFS will occur following Gateway determination. |
| 5.10 – Implementation of Regional Plan | The direction seeks to give effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. | The proposed rezoning is considered consistent with relevant regional strategies. Any inconsistencies have been justified above. |
| 6.1 – Approval and Referral Requirements | The direction prevents a draft amendment from requiring concurrence from, or referral to, the Minister or a public authority. | The proposal does not require concurrence, consultation or referral of development applications to a Minister or public authority and will not identify development as designated development. |
| 6.2 – Reserving Land for Public Purposes | The direction prevents a draft LEP from altering available land for public use. | The proposal does not create, alter or reduce existing zonings or reservation of land for public purposes. |

| Ministerial Direction | Relevance | Implications |
|--------------------------------|---|--|
| 6.3 - Site Specific Provisions | Aims to reduce restrictive site-specific planning controls where a draft LEP amends another environmental planning instrument in order to allow a particular development proposal to proceed. Draft LEP's are encouraged to use existing zones rather than have site-specific exceptions. | The amendment does not propose site-specific zones or planning provisions. |

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?

It is considered that the rezoning will provide better ecological outcomes for the site than the existing zoning. The existing 1,250m² minimum lot size of the West Precinct is at odds with the objectives of the Environmental Living zone, given the assumption that development of these lots will lead to extensive clearing of vegetation. Retention of habitat trees or native vegetation within residential allotments is frequently unsuccessful, as hollow limbs in habitat trees become dangerous and/or are discreetly removed by landowners over the longer term.

The proposal seeks E2 zoning for an additional approx. 2.15ha of ecologically valuable land that would otherwise have been zoned for development. The additional E2 zoned land will be incorporated into the offset area for the proposed development and will improve the balance of development and conservation on the site.

A Species Impact Statement, prepared as part of DA/1430/2018, involved a detailed ecological survey. The survey identified the following attributes within the proposed E2 zone within the West Precinct:

- Swamp Sclerophyll Forest on Coastal Floodplain (EEC);
- Habitat trees;
- Coastal Wetland identified under the Coastal Management SEPP with some buffer area;
- Connectivity to other native vegetation and habitat; and
- Part of a native vegetation corridor.

These ecological values will be benefitted by the proposed rezoning.

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

The site has environmental constraints and further environmental assessment will be required.

Bushfire

The site has been identified as bushfire prone land. A bushfire assessment was carried out by Travers Environmental as part of the Ramsgate Estate LES in 2010. The assessment concluded that the given concept plan was capable of supporting adequate asset protection zones, effective and efficient access/egress, and adequate water supply. The 2008 assessment listed a number of key issues:

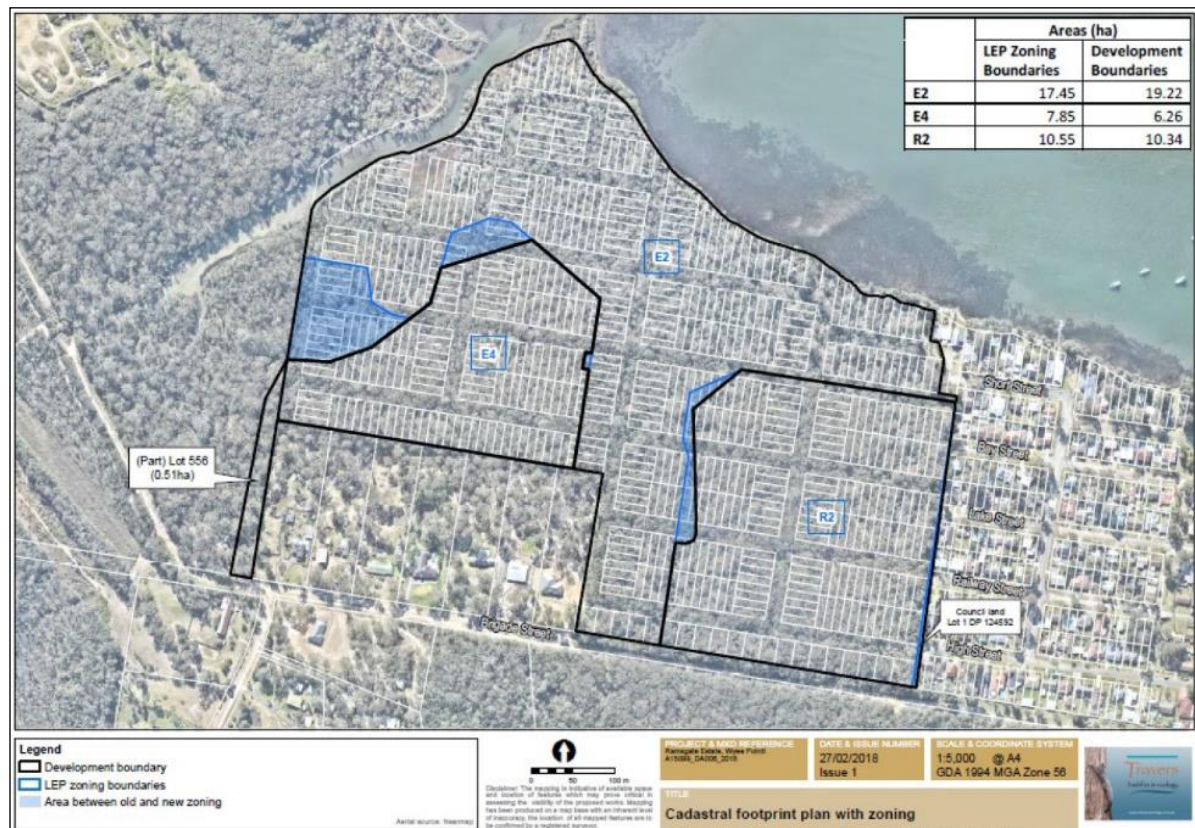
- The main area of concern in terms of bushfire impact upon the proposed subdivision is the significant area of bushland to the south, north-west, and west of the site, as well as the riparian wildlife corridor separating the two precincts. Lands further to the east present minimal threat in relation to bushfire due to the presence of existing residential development and the lake.
- The site is exposed to a medium/high level of bushfire impact from the surrounding bushland. The assessment provided asset protection zones (APZ) that adhered to the requirements of *Planning for Bushfire Protection 2006*. These APZs will be reviewed and amended in accordance with current guidelines.
- The existing settlement to the east provides for a safe egress from the East Precinct. The egress route from the West Precinct may be via Saddlers Way to the east or Larapinta Drive to the south. The egress route will be examined further following Gateway.

In accordance with the relevant s9.1 Ministerial Direction, consultation will be carried out with the NSW Rural Fire Service following receipt of a gateway determination and prior to undertaking community consultation. Initial consultation will ascertain further assessment requirements. Future development will be carried out in accordance with *Planning for Bushfire Protection 2019* (PBP 2019).

It is noted that PBP 2019 states a preference for RFS consultation to take place prior to Gateway in order to identify key bush fire issues upfront. Given that the site was rezoned in 2013 under Amendment No 50 to LMLEP 2004, and that adequate consultation and assessment was carried out at that time, it is considered that key bushfire issues have been previously identified. Accordingly, it is considered satisfactory that consultation with RFS may occur following Gateway.

A NSW RFS brigade is located at Wyee Point 500m to the east of the site. If not assisting elsewhere, the brigade would have a response time of approximately 5 minutes to service the development. A brigade is also located at Doyalson, 9km to the south, with an approximate response time of 20-25 minutes.

The paper subdivision is currently landlocked with no legal road access. The two development lots proposed under DA/1430/2018 (see Figure 5) may gain access to existing roads, subject to Council approval. The DA, which is currently under assessment, seeks a development footprint in which the East Precinct may be accessed via Bay Street and Railway Street. An access road connecting the West Precinct with Saddlers Way is also proposed as part of this DA.



Acid Sulfate Soils

Council's records indicate that the northern section of the site is affected by Class 2 acid sulfate soils (see Figure 7). The Acid Sulfate Soils Planning Guidelines recommend the avoidance of development intensification on affected land.

The proposal seeks to rezone approx. 6,664m² of Class 2 land from E4 to E2, significantly reducing potential disturbance of that land. However, a section of approx. 3,629m² E4 zoned land will be rezoned as R2, which will increase disturbance of that part.

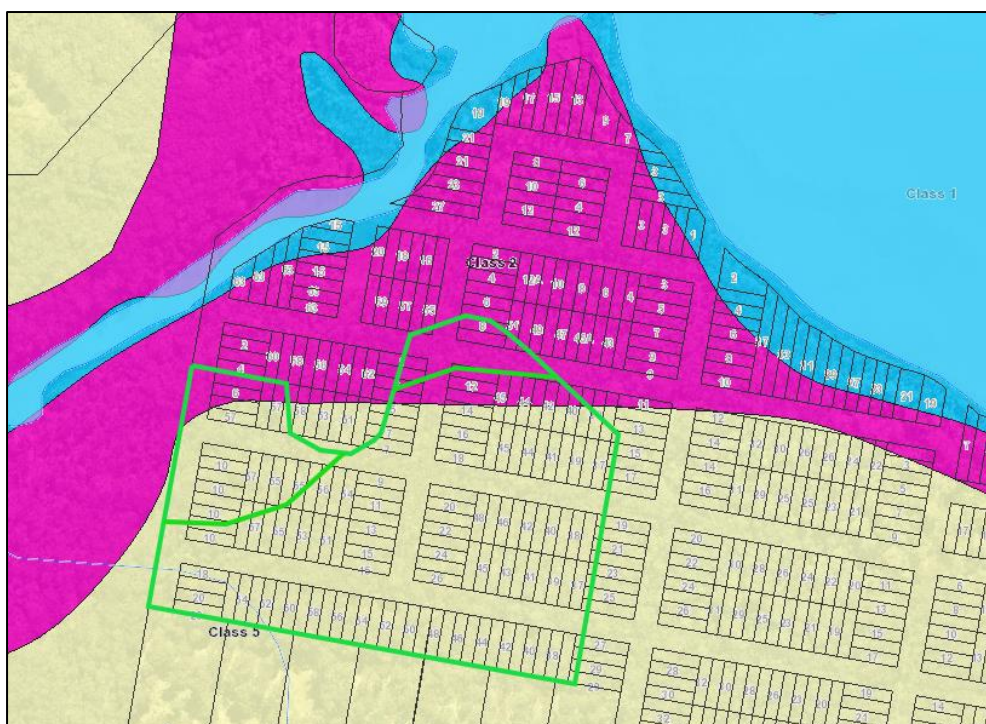


Figure 6 - Acid sulfate soils affecting the West Precinct

Watercourse and Flooding

The northern section of the site is listed as coastal wetland. The majority of coastal wetland and flood affected land is zoned E2 and is not proposed to change. Existing E4 zoned land overlaps with approx. 2,416m² of coastal wetland, whereas the proposal will reduce the area of overlap to approx. 738m², reducing development impacts on the wetland.

A flooding and stormwater assessment was carried out by Northrop Consulting Engineers as part of the Ramsgate Estate LES in 2010. The study concluded that a portion of Ramsgate Estate was suitable for development, on the proviso that appropriate stormwater runoff quality and flood management strategies were implemented. Northrop recommended that rezoning the site as a residential precinct should be supported.

Further investigation and consideration of flooding and watercourse impacts will be required.

Contamination

The site is not identified as potentially contaminated on Council's Register of Contaminated Sites. A Phase 1 Contamination Assessment will be required to ascertain whether further assessment is required.

Additional Studies

It is recommended that the existing LES should be reviewed and updated to support the planning proposal, with particular focus on the following studies:

- Cultural Heritage Survey and Assessment – the existing assessment should be revised to reflect changes in relevant government agencies
- Traffic and Infrastructure Assessment – a new traffic study should be prepared to account for higher density and lot yield, and connection via Larapinta Drive
- Social Impact Assessment – the existing assessment should be revised with consideration given to increased lot yield

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

Social Impacts

A Social Impact Assessment was prepared as part of the Ramsgate LES in 2010 (internal ref #D07750215). The study found that the existing settlement to the east had relatively high household sizes and a younger age profile when compared with the wider LGA. Most dwellings were detached houses being purchased or owned. Most residents were Australian-born, and there was a higher proportion of Indigenous persons when compared with the wider LGA.

It was estimated that the proposed rezoning (RZ/6/2005) could provide an additional 150 lots or 450-480 persons to the established population of Wyee Point. There were sufficient community and recreational facilities in the wider area to cater for the additional population. The report recommended provision of open space/play equipment in appropriate locations, as well as consideration toward pedestrian and cycle linkages between the proposed and existing settlements. As Wyee Point relies on nearby Wyee and Morisset for most of its services, it was considered unlikely that new residential developments would stimulate demand for additional facilities.

The assessment concluded that, based on available information, development of the site was unlikely to have a significant social impact.

The study was based on the development of 150 dwellings in the existing zones, and does not consider the additional yield and proposed zones sought by this planning proposal (RZ/4/2019). Figures have not been adjusted for indexation/inflation. The study is useful for identifying overarching issues and features of the area, but should be revised with consideration to proposed zones and correspondent changes in yield and density. Investigations may be carried out following Gateway determination.

Aboriginal Heritage Impacts

The development area is not identified in Council's Sensitive Aboriginal Landscape mapping, however the foreshore area within the northern reaches of Ramsgate Estate is identified as Sensitive Aboriginal Landscape. The proposed rezoning of the West Precinct will cause the development footprint to retreat away from the sensitive area as illustrated in Figure 7.

A Cultural Heritage Survey and Assessment was prepared as part of the Ramsgate Estate LES in 2010. The survey recorded a shell midden along the foreshore, with smaller deposits occurring along an adjacent elevated terrace. It was recorded as one extensive occupation area and designated as a Midden with Potential Archaeological Deposit (PAD). An additional localised area of what appeared to be unstratified midden shell was recorded south of the foreshore on the landform unit designated as lower slope. No stone artefacts were observed at either of these sites.

Further Aboriginal consultation and investigation should occur following Gateway determination. The existing Cultural Heritage Survey and Assessment should be reviewed and updated to reflect Aboriginal community feedback and changes in relevant government agencies.

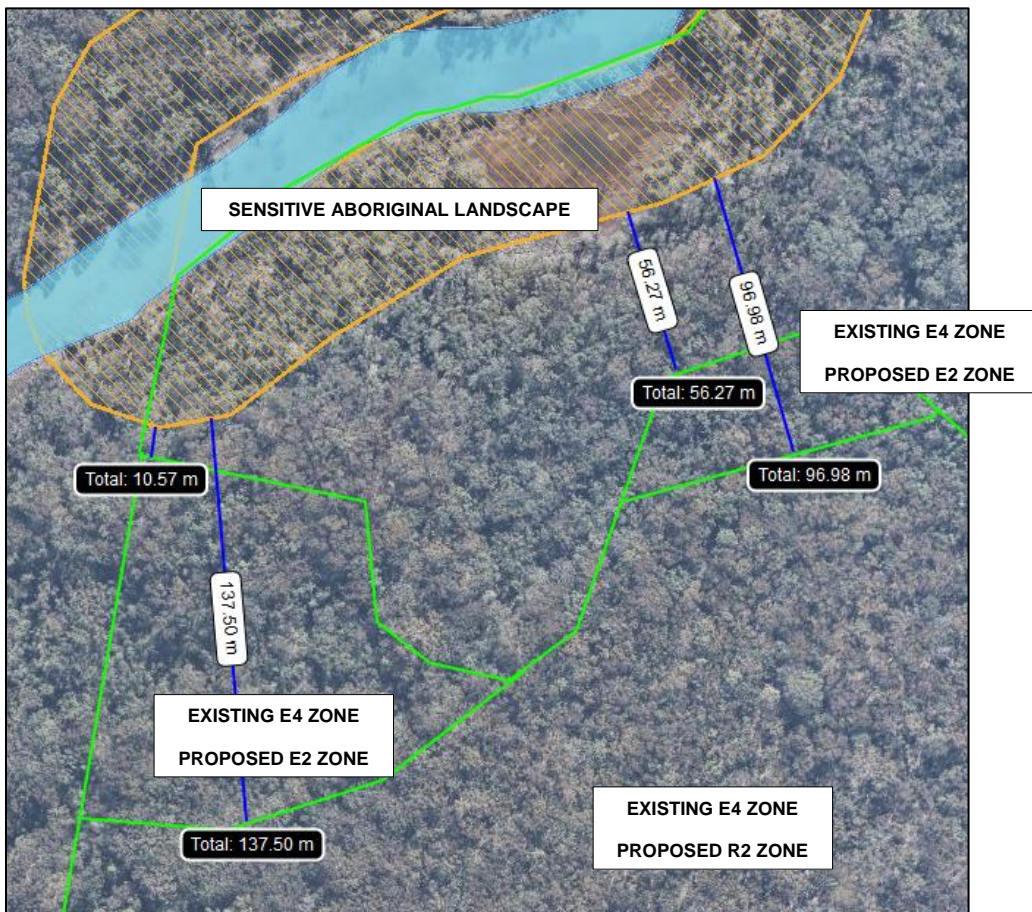
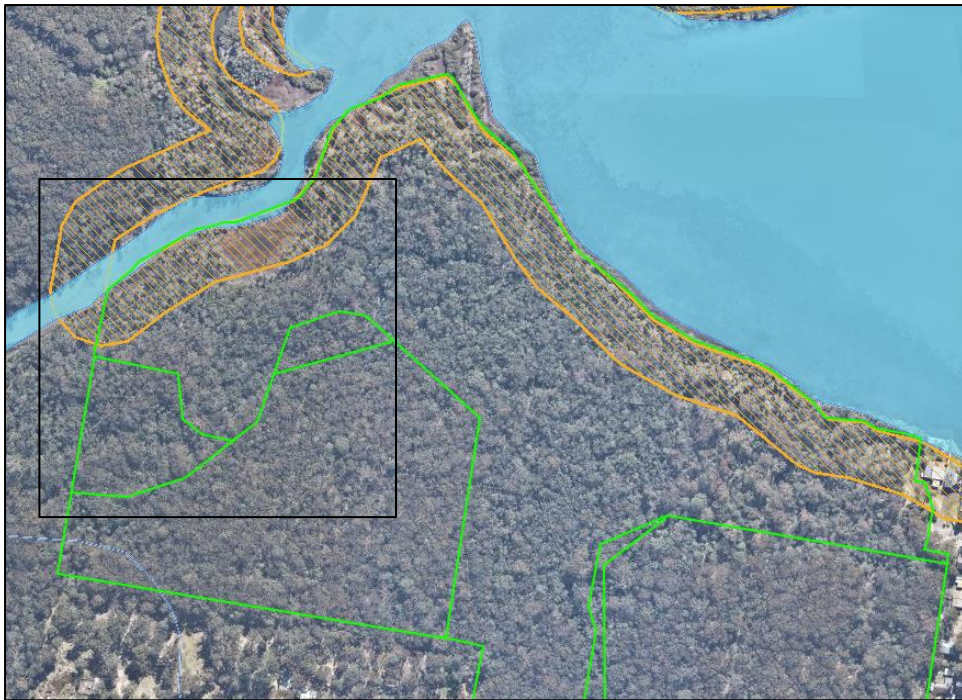


Figure 7 – Distance from existing and proposed zones to Sensitive Aboriginal Landscape. Rezoning would result in developable land retreating further from Sensitive Aboriginal Landscape.

European Heritage Impacts

An investigation for potential historical archaeological sites in the area was conducted by Harper Somers O'Sullivan as part of the Ramsgate Estate LES in 2010. No items of European cultural historical significance were observed. The proposal is not considered to have European heritage impacts.

Economic Impacts

An Economic Impact Assessment was prepared as part of the Ramsgate Estate LES in 2010 (internal ref #D07750215). The study estimated that development of 150 lots would provide a total stimulus of \$47.8 million to the local economy, and approximately 813 FTE jobs as a result of the project.

The study was based on the development of 150 dwellings in the existing zones, and does not consider the additional yield and proposed zones sought by this planning proposal. Figures have not been adjusted for indexation/inflation. The study is useful for identifying overarching issues and features of the area, but should be revised with consideration to proposed zones and correspondent changes in yield and density. Investigations may be carried out following Gateway determination.

D. STATE AND COMMONWEALTH INTERESTS

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

As Ramsgate Estate is a paper subdivision, the site is not currently serviced by infrastructure. Provision of infrastructure is currently being determined under DA/1430/2018.

Water

Consultation with Hunter Water was undertaken as part of the Ramsgate Estate LES in 2010. Hunter Water advised that there was adequate capacity available in the existing reticulated water system to service up to 250 lots.

Updated advice will be sought from Hunter Water following Gateway determination.

Sewer

Consultation with Hunter Water was undertaken as part of the Ramsgate Estate LES in 2010. Hunter Water advised that there was limited capacity available in the existing sewer system to service the proposed development. It was indicated that upgrades may be required to existing sewerage infrastructure to provide suitable services to the site.

Updated advice will be sought from Hunter Water following Gateway determination.

Electricity

Consultation with Energy Australia was undertaken as part of the Ramsgate Estate LES in 2010. Energy Australia advised that the existing infrastructure had adequate capacity to service the proposed development.

There are connection points to the existing 11KV mains in both Bath St and Saddlers Way. The provision of reticulation mains to service individual developments will be funded by the developers.

Updated advice will be sought from Ausgrid following Gateway determination.

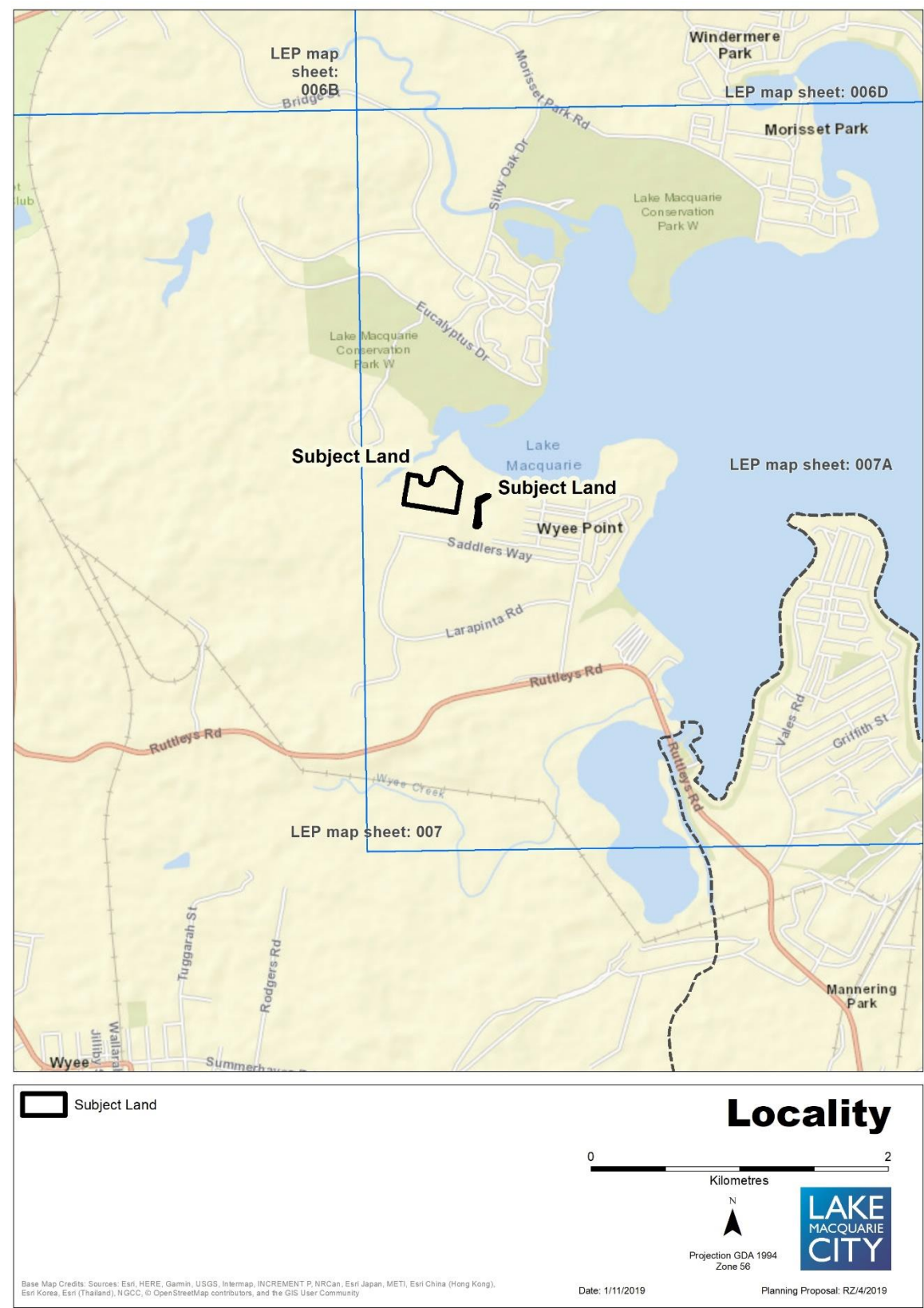
12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Consultation will occur with government agencies in accordance with the Gateway Determination. It is recommended that consultation occurs with the following government agencies:

- Department of Planning, Industry and Environment
- Department of Premier and Cabinet
- Transport for NSW
- Rural Fire Service
- Mine Subsidence Board
- Hunter Water
- Ausgrid

Part 4 – MAPPING

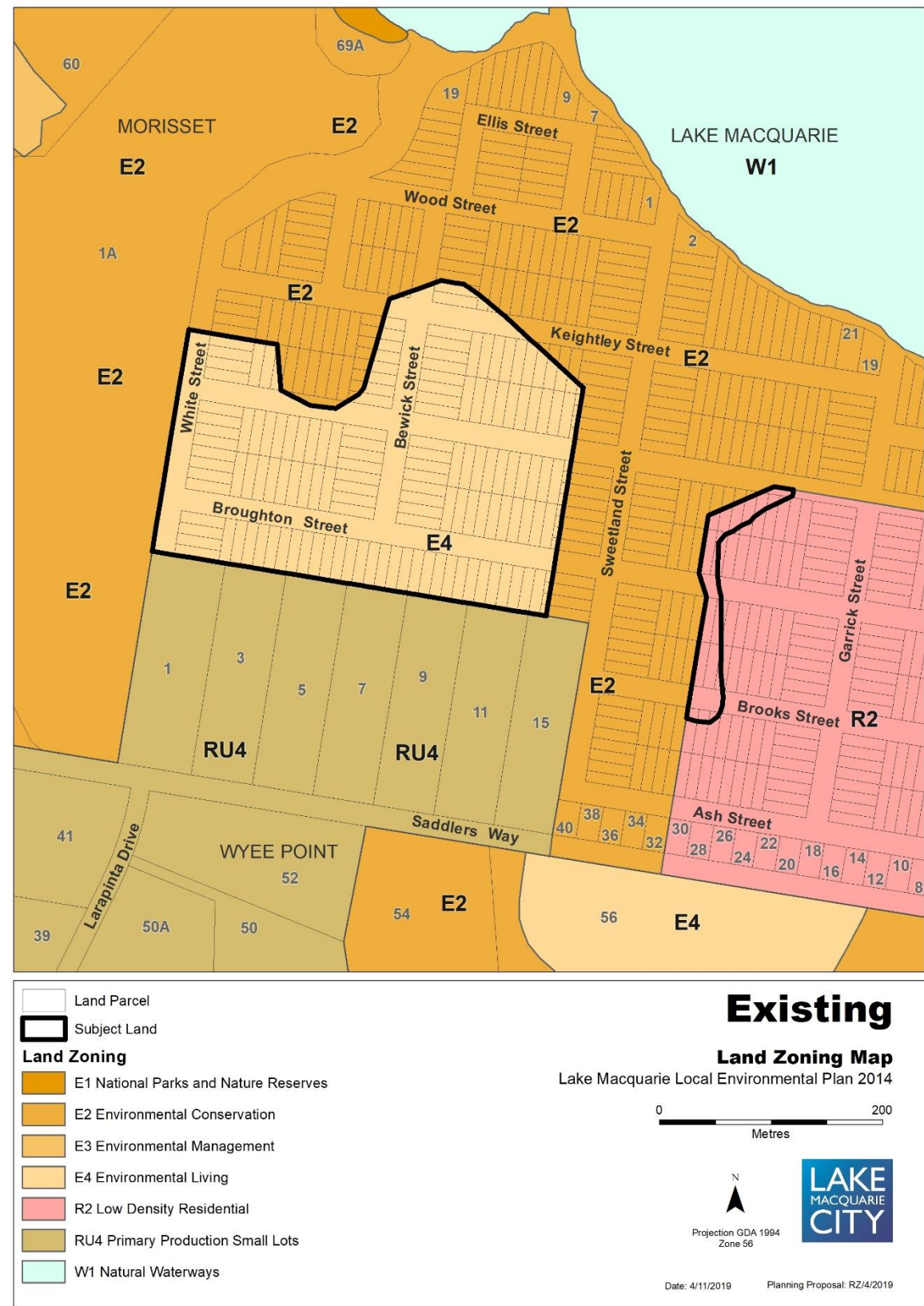
Map 1 – Locality Map



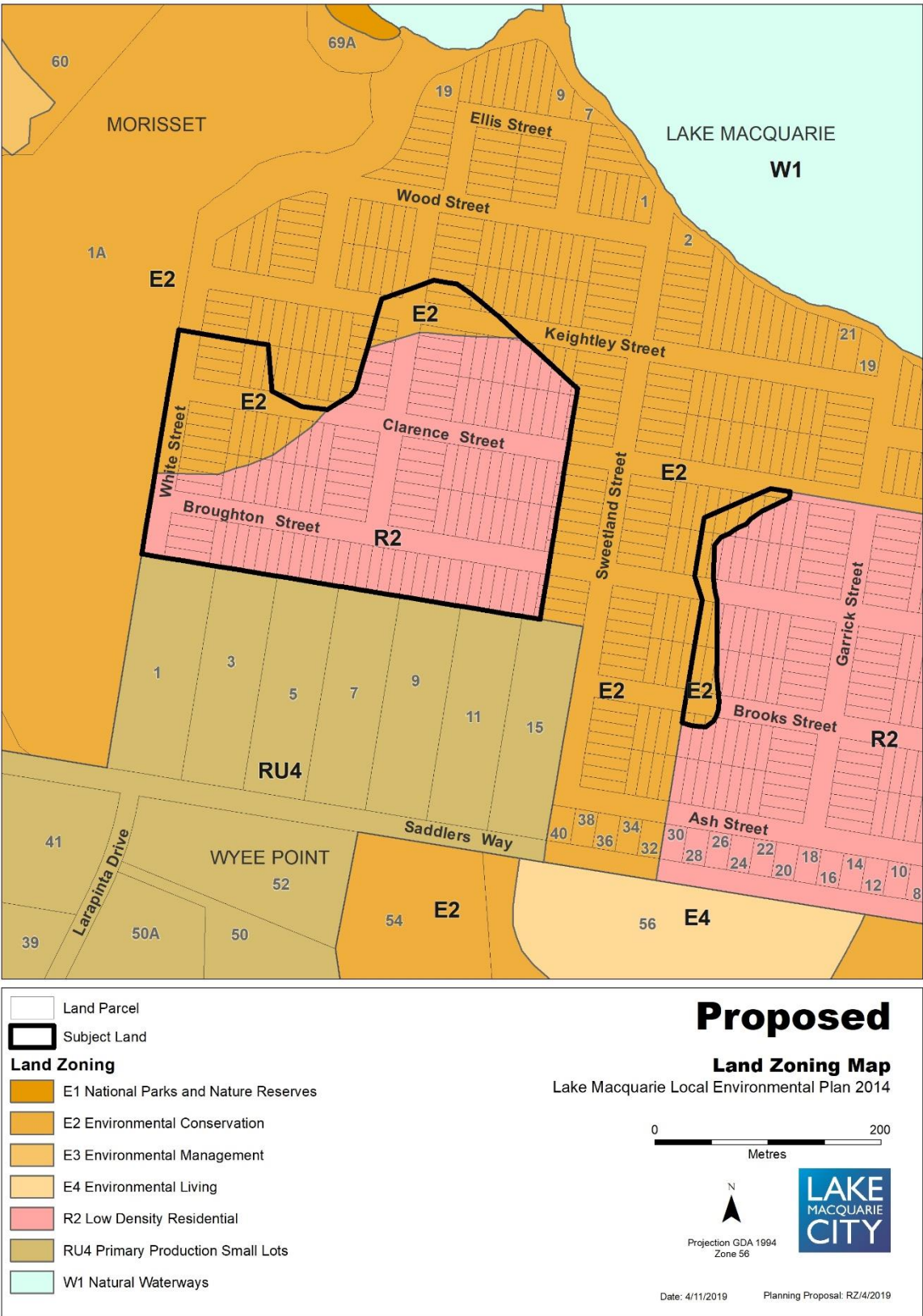
Map 2 – Aerial Map



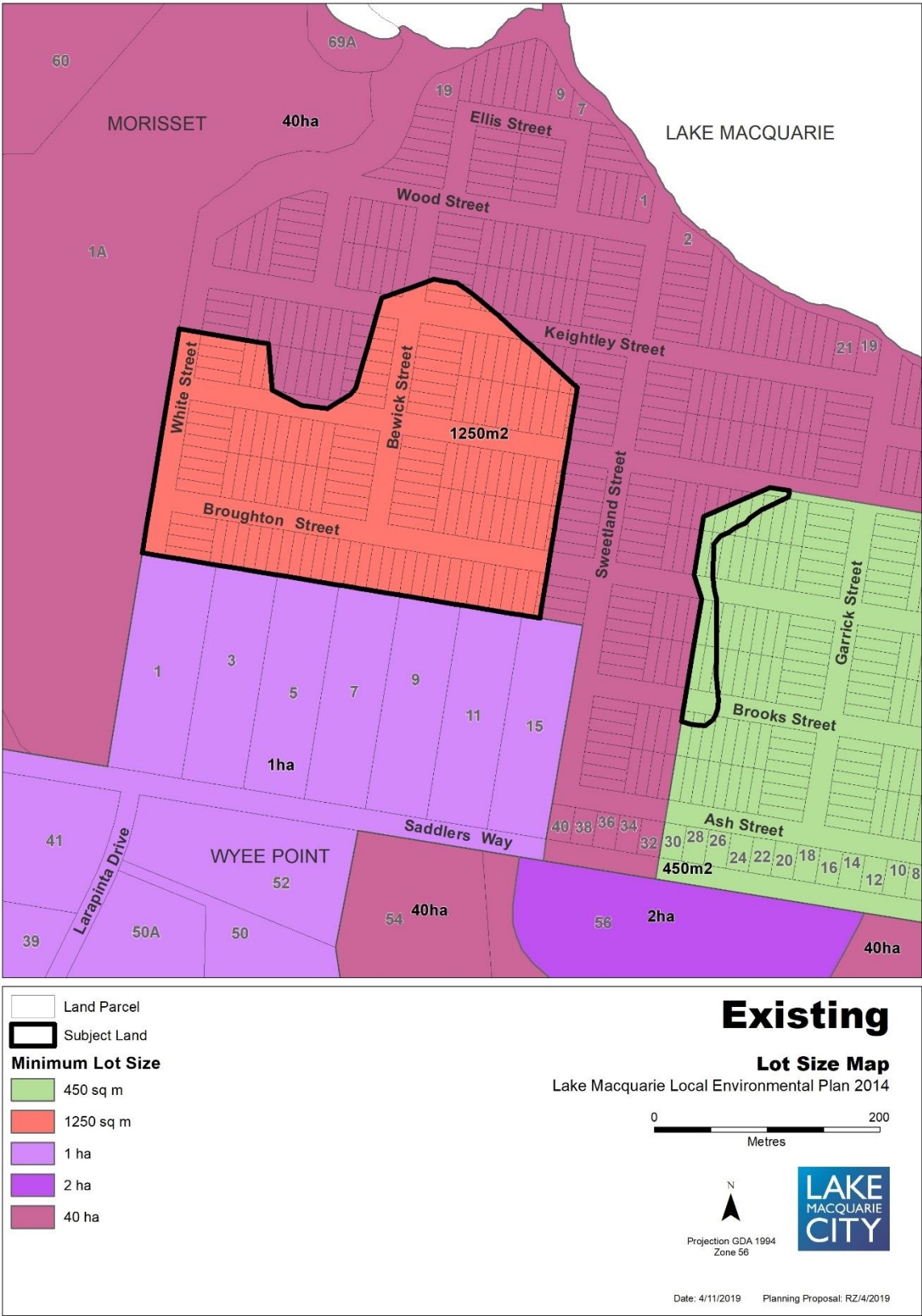
Map 3 – Existing Zoning



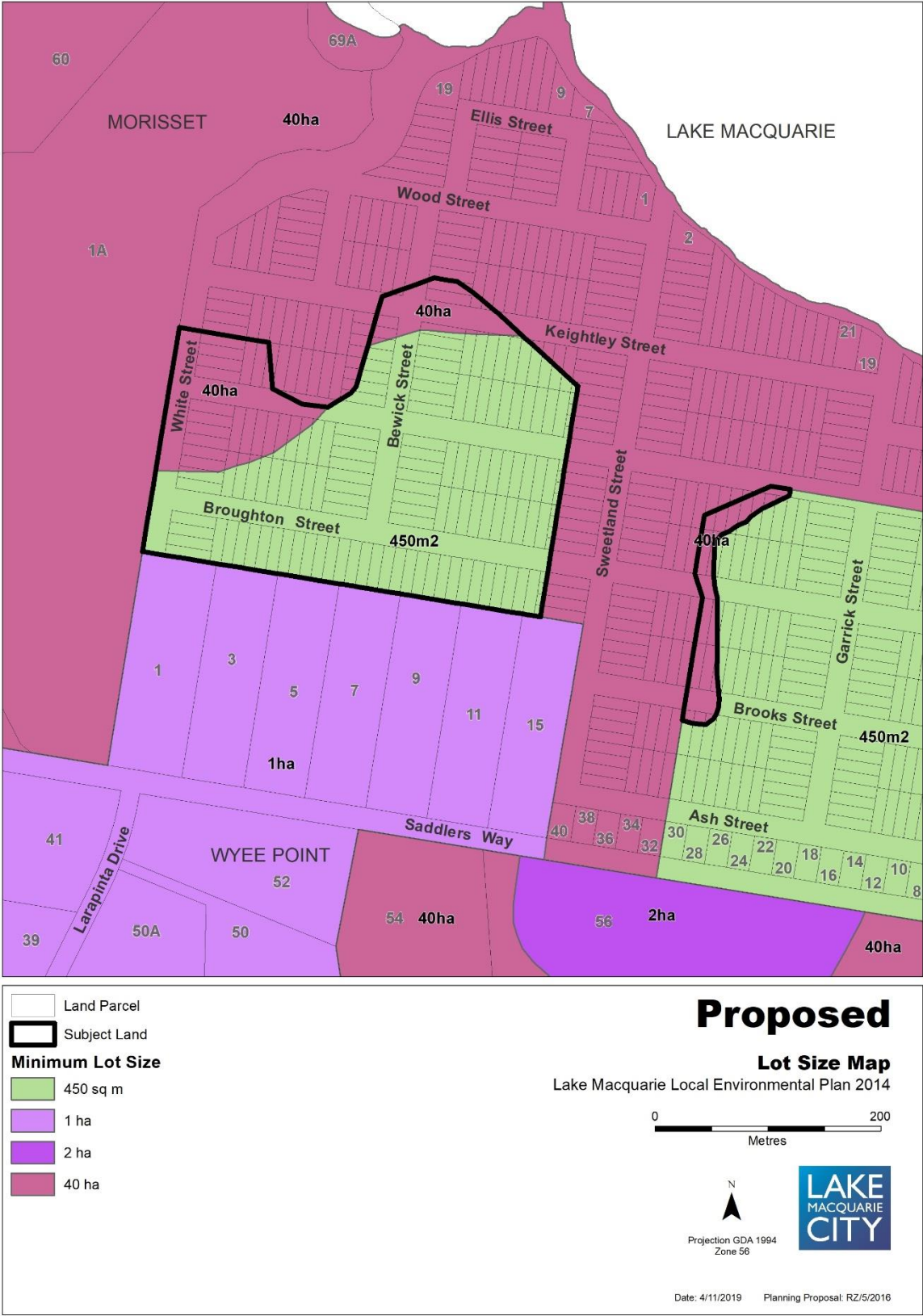
Map 4 – Proposed Zoning



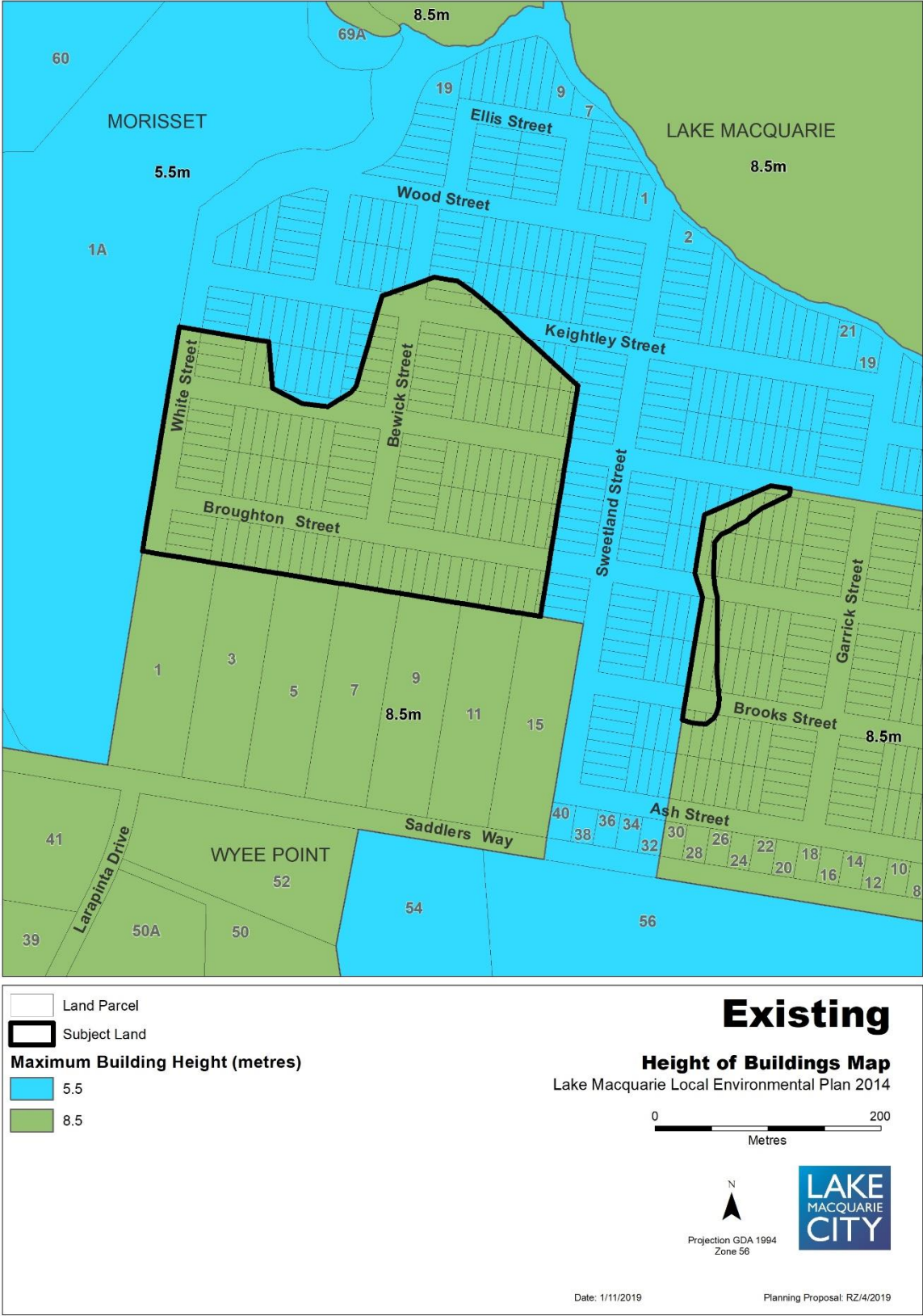
Map 5 – Existing Lot Size



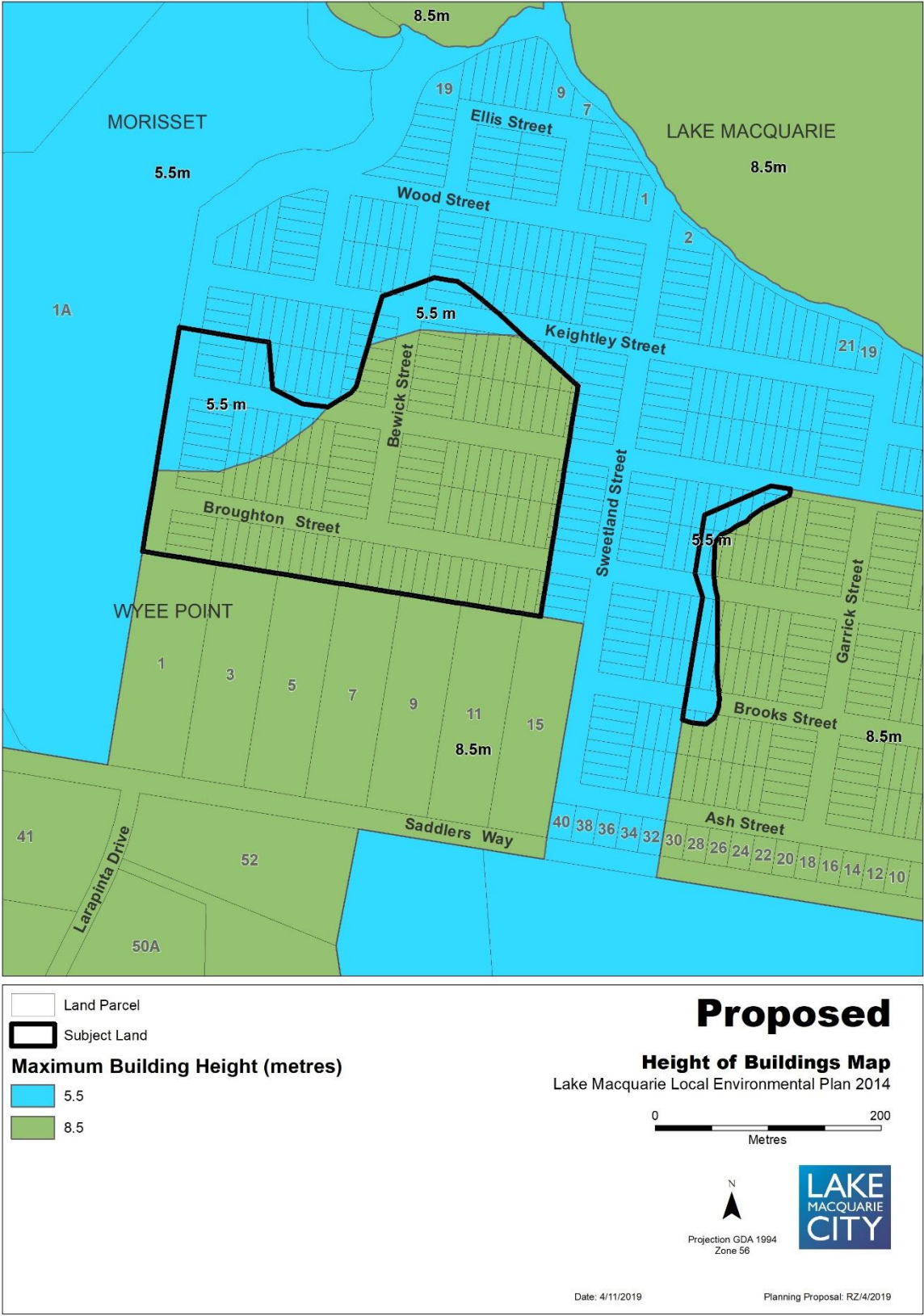
Map 6 – Proposed Lot Size



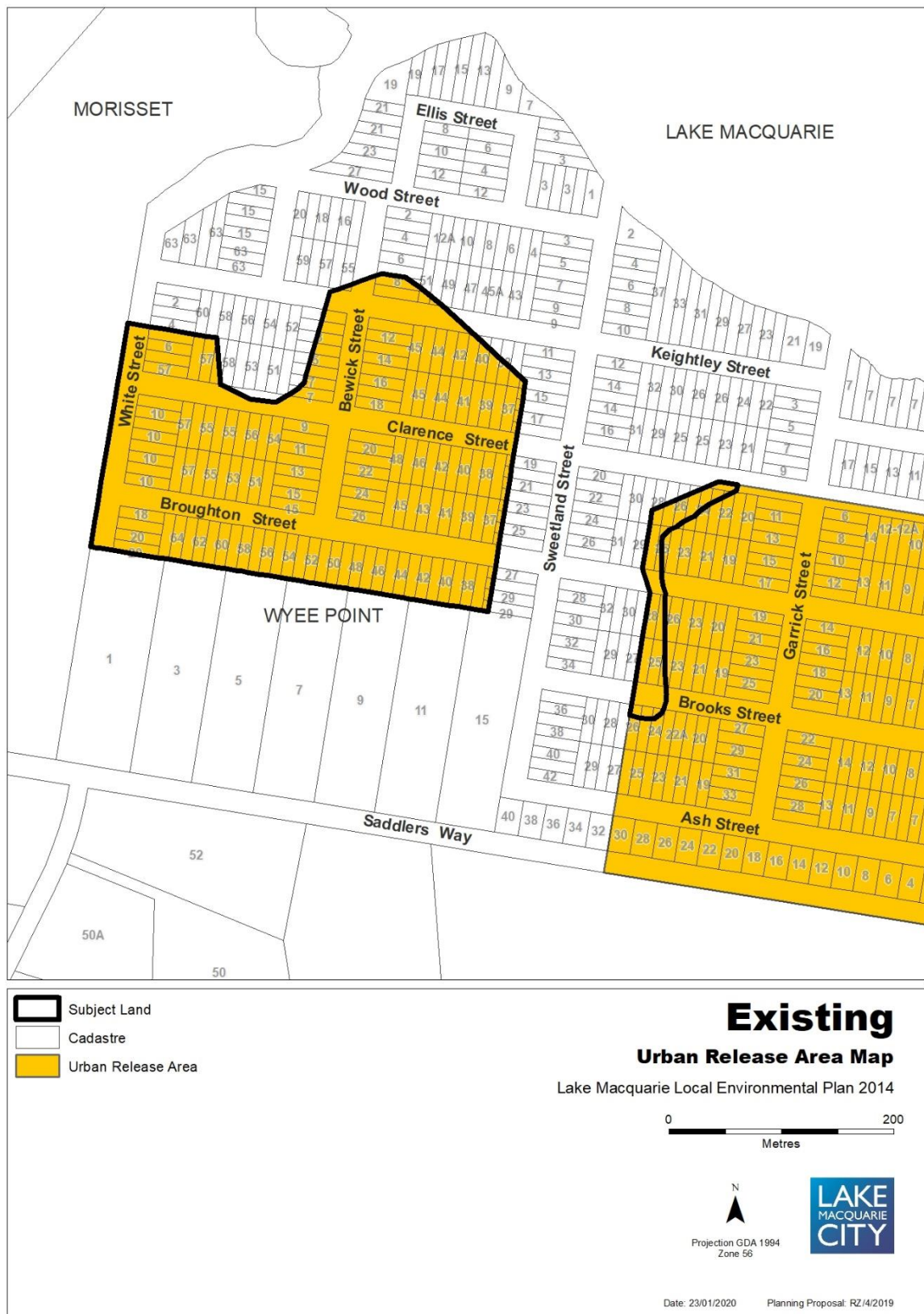
Map 7 – Existing Height of Buildings



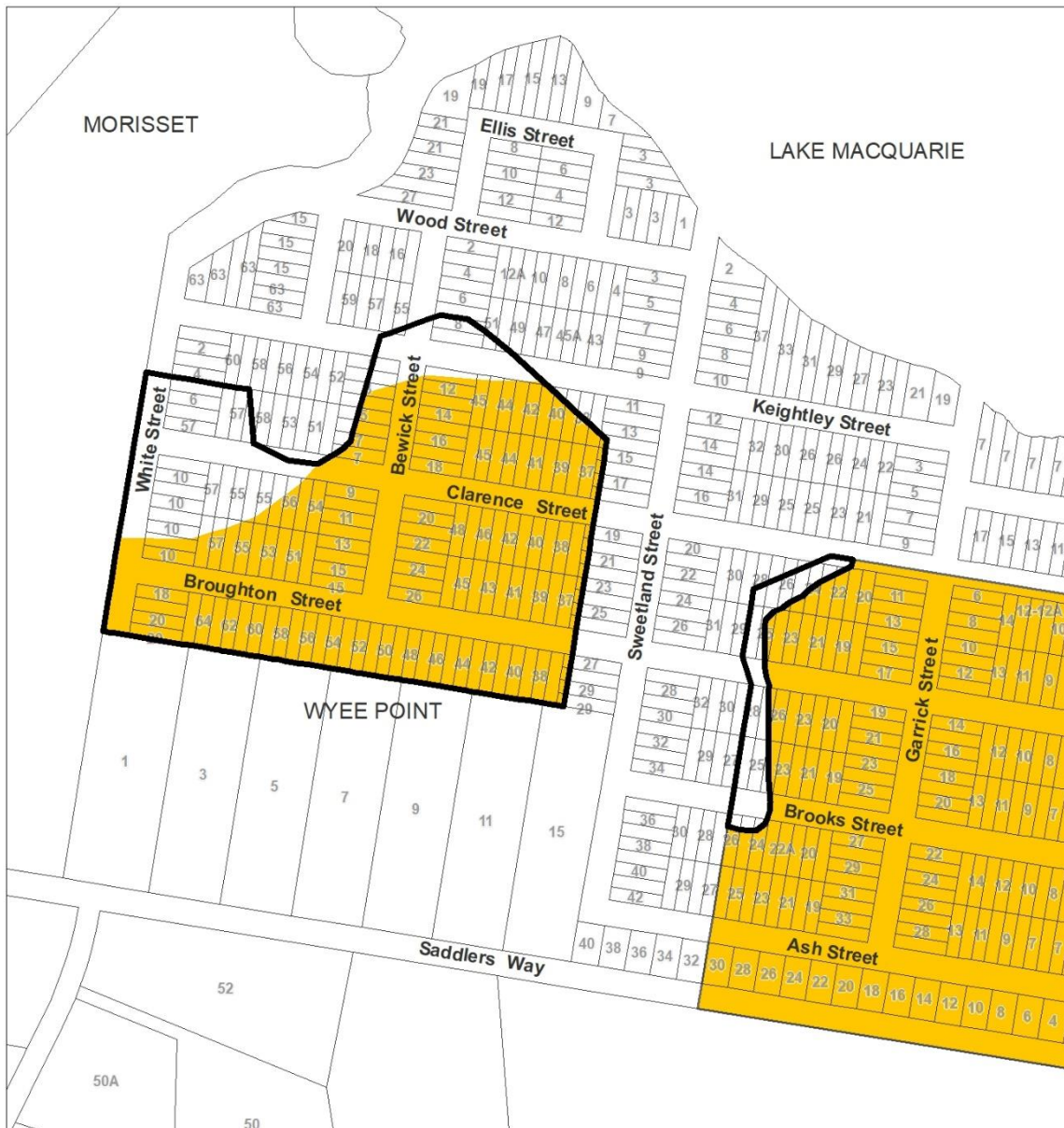
Map 8 – Proposed Height of Buildings



Map 9 – Existing Urban Release Area



Map 10 – Proposed Urban Release Area



-  Subject Land
-  Cadastre
-  Urban Release Area

Proposed
Urban Release Area Map
Lake Macquarie Local Environmental Plan 2014

0 200
Metres

N
Projection GDA 1994
Zone 56



Date: 23/01/2020 Planning Proposal: RZ/4/2019

Part 5 – COMMUNITY CONSULTATION

The planning proposal will be exhibited in accordance with the Gateway determination. It is recommended that the planning proposal be exhibited for 28 days, and that the community is notified via local newspapers, Council website, and written notification of adjoining landowners.

Part 6 – PROJECT TIMELINE

| Action | Timeframe |
|---|---------------|
| Anticipated commencement date (date of Gateway determination) | March 2020 |
| Anticipated timeframe for completion of required technical information | November 2020 |
| Timeframe for government agency consultation (pre-exhibition) | 21 days |
| Public exhibition (commencement and completion dates) | 28 days |
| Date of Public hearing (if required) | Nil |
| Consideration of submissions | 21 days |
| Timeframe for government agency consultation (post exhibition if required) | 21 days |
| Post exhibition planning proposal consideration / preparation | 28 days |
| Submission to Department to finalise LEP | April 2021 |
| Date RPA will make Plan (if delegated) | June 2021 |
| Date RPA will forward to the Department for notification (if not delegated) | June 2021 |

Part 7 – APPENDIX 1 – SUBJECT LAND AND LANDOWNERS

| Property Address | Description | Landowner |
|--|--|------------------|
| 37 Clarence Street, WYEE POINT NSW 2259 | Lot 17 Sec J DP 1596, Lot 18 Sec J DP 1596 | FTLR PTY LTD |
| 39 Clarence Street, WYEE POINT NSW 2259 | Lot 15 Sec J DP 1596, Lot 16 Sec J DP 1596 | FTLR PTY LTD |
| 40 Clarence Street, WYEE POINT NSW 2259 | Lot 29 Sec N DP 1596, Lot 30 Sec N DP 1596 | FTLR PTY LTD |
| 41 Clarence Street, WYEE POINT NSW 2259 | Lot 13 Sec J DP 1596, Lot 14 Sec J DP 1596 | FTLR PTY LTD |
| 44 Clarence Street, WYEE POINT NSW 2259 | Lot 33 Sec N DP 1596 | FTLR PTY LTD |
| 46 Clarence Street, WYEE POINT NSW 2259 | Lot 34 Sec N DP 1596, Lot 35 Sec N DP 1596 | FTLR PTY LTD |
| 48 Clarence Street, WYEE POINT NSW 2259 | Lot 36 Sec N DP 1596 | FTLR PTY LTD |
| 51 Clarence Street, WYEE POINT NSW 2259 | Lot 19 Sec I DP 1596, Lot 20 Sec I DP 1596 | FTLR PTY LTD |
| 54 Clarence Street, WYEE POINT NSW 2259 | Lot 26 Sec M DP 1596 | FTLR PTY LTD |
| 56 Clarence Street, WYEE POINT NSW 2259 | Lot 27 Sec M DP 1596, Lot 28 Sec M DP 1596 | FTLR PTY LTD |
| 58 Clarence Street, WYEE POINT NSW 2259 | Lot 29 Sec M DP 1596 | FTLR PTY LTD |
| 13 Sweetland Street, WYEE POINT NSW 2259 | Lot 23 Sec J DP 1596, Lot 24 Sec J DP 1596 | FTLR PTY LTD |
| 15 Sweetland Street, WYEE POINT NSW 2259 | Lot 21 Sec J DP 1596, Lot 22 Sec J DP 1596 | FTLR PTY LTD |
| 17 Sweetland Street, WYEE POINT NSW 2259 | Lot 19 Sec J DP 1596, Lot 20 Sec J DP 1596 | FTLR PTY LTD |
| 27 Sweetland Street, WYEE POINT NSW 2259 | Lot 34 Sec Q DP 1596, Lot 35 Sec Q DP 1596 | FTLR PTY LTD |
| 29 Sweetland Street, WYEE POINT NSW 2259 | Lot 36 Sec Q DP 1596, Lot 37 Sec Q DP 1596 | FTLR PTY LTD |
| 4 White Street, WYEE POINT NSW 2259 | Lot 32 Sec I DP 1596 | FTLR PTY LTD |
| 6 White Street, WYEE POINT NSW 2259 | Lot 30 Sec I DP 1596, Lot 31 Sec I DP 1596 | FTLR PTY LTD |
| 18 White Street, WYEE POINT NSW 2259 | Lot 1 Sec Q DP 1596, Lot 2 Sec Q DP 1596 | FTLR PTY LTD |
| 20 White Street, WYEE POINT NSW 2259 | Lot 3 Sec Q DP 1596, Lot 4 Sec Q DP 1596 | FTLR PTY LTD |

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| 38 Keightley Street, WYEE POINT NSW 2259 | Lot 27 Sec J DP 1596, Lot 28 Sec J DP 1596 | FTLR PTY LTD |
| 40 Keightley Street, WYEE POINT NSW 2259 | Lot 29 Sec J DP 1596, Lot 30 Sec J DP 1596 | FTLR PTY LTD |
| 42 Keightley Street, WYEE POINT NSW 2259 | Lot 31 Sec J DP 1596, Lot 32 Sec J DP 1596 | FTLR PTY LTD |
| 51 Keightley Street, WYEE POINT NSW 2259 | Lot 9 Sec G DP 1596, Lot 10 Sec G DP 1596 | FTLR PTY LTD |
| 55 Keightley Street, WYEE POINT NSW 2259 | Lot 5 Sec B DP 1596, Lot 6 Sec B DP 1596 | FTLR PTY LTD |
| 58 Keightley Street, WYEE POINT NSW 2259 | Lot 4 Sec I DP 1596, Lot 5 Sec I DP 1596, Lot 24 Sec I DP 1596 | FTLR PTY LTD |
| 60 Keightley Street, WYEE POINT NSW 2259 | Lot 2 Sec I DP 1596, Lot 3 Sec I DP 1596 | FTLR PTY LTD |
| 38 Broughton Street, WYEE POINT NSW 2259 | Lot 32 Sec Q DP 1596, Lot 33 Sec Q DP 1596 | FTLR PTY LTD |
| 39 Broughton Street, WYEE POINT NSW 2259 | Lot 15 Sec N DP 1596, Lot 16 Sec N DP 1596 | FTLR PTY LTD |
| 40 Broughton Street, WYEE POINT NSW 2259 | Lot 30 Sec Q DP 1596, Lot 31 Sec Q DP 1596 | FTLR PTY LTD |
| 42 Broughton Street, WYEE POINT NSW 2259 | Lot 28 Sec Q DP 1596, Lot 29 Sec Q DP 1596 | FTLR PTY LTD |
| 44 Broughton Street, WYEE POINT NSW 2259 | Lot 26 Sec Q DP 1596, Lot 27 Sec Q DP 1596 | FTLR PTY LTD |
| 46 Broughton Street, WYEE POINT NSW 2259 | Lot 24 Sec Q DP 1596, Lot 25 Sec Q DP 1596 | FTLR PTY LTD |
| 48 Broughton Street, WYEE POINT NSW 2259 | Lot 22 Sec Q DP 1596, Lot 23 Sec Q DP 1596 | FTLR PTY LTD |
| 50 Broughton Street, WYEE POINT NSW 2259 | Lot 20 Sec Q DP 1596, Lot 21 Sec Q DP 1596 | FTLR PTY LTD |
| 51 Broughton Street, WYEE POINT NSW 2259 | Lot 16 Sec M DP 1596, Lot 17 Sec M DP 1596 | FTLR PTY LTD |
| 53 Broughton Street, WYEE POINT NSW 2259 | Lot 14 Sec M DP 1596, Lot 15 Sec M DP 1596 | FTLR PTY LTD |
| 54 Broughton Street, WYEE POINT NSW 2259 | Lot 16 Sec Q DP 1596, Lot 17 Sec Q DP 1596 | FTLR PTY LTD |
| 56 Broughton Street, WYEE POINT NSW 2259 | Lot 14 Sec Q DP 1596, Lot 15 Sec Q DP 1596 | FTLR PTY LTD |
| 58 Broughton Street, WYEE POINT NSW 2259 | Lot 12 Sec Q DP 1596, Lot 13 Sec Q DP 1596 | FTLR PTY LTD |
| 60 Broughton Street, WYEE POINT NSW 2259 | Lot 10 Sec Q DP 1596, Lot 11 Sec Q DP 1596 | FTLR PTY LTD |
| 62 Broughton Street, WYEE POINT NSW 2259 | Lot 8 Sec Q DP 1596, Lot 9 Sec Q DP 1596 | FTLR PTY LTD |

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| 64 Broughton Street, WYEE POINT NSW 2259 | Lot 6 Sec Q DP 1596, Lot 7 Sec Q DP 1596 | FTLR PTY LTD |
| 66 Broughton Street, WYEE POINT NSW 2259 | Lot 5 Sec Q DP 1596 | FTLR PTY LTD |
| 1 Bewick Street, WYEE POINT NSW 2259 | Lot 11 Sec I DP 1596, Lot 12 Sec I DP 1596 | FTLR PTY LTD |
| 3 Bewick Street, WYEE POINT NSW 2259 | Lot 13 Sec I DP 1596, Lot 14 Sec I DP 1596 | FTLR PTY LTD |
| 5 Bewick Street, WYEE POINT NSW 2259 | Lot 15 Sec I DP 1596, Lot 16 Sec I DP 1596 | FTLR PTY LTD |
| 7 Bewick Street, WYEE POINT NSW 2259 | Lot 17 Sec I DP 1596, Lot 18 Sec I DP 1596 | FTLR PTY LTD |
| 8 Bewick Street, WYEE POINT NSW 2259 | Lot 6 Sec G DP 1596, Lot 7 Sec G DP 1596 | FTLR PTY LTD |
| 10 Bewick Street, WYEE POINT NSW 2259 | Lot 8 Sec G DP 1596 | FTLR PTY LTD |
| 20 Bewick Street, WYEE POINT NSW 2259 | Lot 1 Sec N DP 1596, Lot 2 Sec N DP 1596 | FTLR PTY LTD |
| 22 Bewick Street, WYEE POINT NSW 2259 | Lot 3 Sec N DP 1596, Lot 4 Sec N DP 1596 | FTLR PTY LTD |
| 22 Clarence Street, WYEE POINT NSW 2259 | Lot 27A Sec O DP 1596, Lot 28 Sec O DP 1596 | FTLR PTY LTD |
| 24 Clarence Street, WYEE POINT NSW 2259 | Lot 29 Sec O DP 1596, Lot 30 Sec O DP 1596 | FTLR PTY LTD |
| 26 Clarence Street, WYEE POINT NSW 2259 | Lot 31 Sec O DP 1596, Lot 32 Sec O DP 1596 | FTLR PTY LTD |
| 28 Clarence Street, WYEE POINT NSW 2259 | Lot 33 Sec O DP 1596 | FTLR PTY LTD |
| 25 Broughton Street, WYEE POINT NSW 2259 | Lot 13 Sec O DP 1596, Lot 14 Sec O DP 1596 | FTLR PTY LTD |
| 26 Broughton Street, WYEE POINT NSW 2259 | Lot 30 Sec R DP 1596, Lot 31 Sec R DP 1596 | FTLR PTY LTD |
| 27 Broughton Street, WYEE POINT NSW 2259 | Lot 12 Sec O DP 1596 | FTLR PTY LTD |
| 28 Broughton Street, WYEE POINT NSW 2259 | Lot 32 Sec R DP 1596 | FTLR PTY LTD |
| 29 Broughton Street, WYEE POINT NSW 2259 | LOTS 10/11 SEC O DP 1596 | FTLR PTY LTD |
| 24 Brooks Street, WYEE POINT NSW 2259 | Lot 29 Sec T DP 1596, Lot 30 Sec T DP 1596 | FTLR PTY LTD |
| 25 Brooks Street, WYEE POINT NSW 2259 | LOTS 13/14 SEC R DP 1596 | FTLR PTY LTD |
| 26 Brooks Street, WYEE POINT NSW 2259 | Lot 31 Sec T DP 1596, Lot 32 Sec T DP 1596 | FTLR PTY LTD |

| | | |
|---|--|-----------------------------------|
| 27 Brooks Street, WYEE POINT NSW 2259 | Lot 11 Sec R DP 1596, Lot 12 Sec R DP 1596 | FTLR PTY LTD |
| 1A Saddlers Way, WYEE POINT NSW 2259 | Lot 1 DP 1253606 | FTLR PTY LTD |
| 43 Clarence Street, WYEE POINT NSW 2259 | Lot 11 Sec J DP 1596 | GEO DEVELOPMENTS PTY LTD |
| 23A Brooks Street, WYEE POINT NSW 2259 | Lot 15 Sec R DP 1596 | GEO DEVELOPMENTS PTY LTD |
| 45 Clarence Street, WYEE POINT NSW 2259 | LOTS 9/10 35/36 SEC J DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 57 Clarence Street, WYEE POINT NSW 2259 | Lots 25/29 Sec I DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 10 White Street, WYEE POINT NSW 2259 | LOTS 1/8 SEC M DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 44 Keightley Street, WYEE POINT NSW 2259 | LOTS 12 & 33/34 SEC J DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 37 Broughton Street, WYEE POINT NSW 2259 | Lots 17/18 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 41 Broughton Street, WYEE POINT NSW 2259 | Lot 13 Sec N DP 1596, Lot 14 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 43 Broughton Street, WYEE POINT NSW 2259 | Lot 11 Sec N DP 1596, Lot 12 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 45 Broughton Street, WYEE POINT NSW 2259 | Lot 9 Sec N DP 1596, Lot 10 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 55 Broughton Street, WYEE POINT NSW 2259 | Lots 11/13 Sec M DP 1596 & Lots 30/32 Sec M DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 57 Broughton Street, WYEE POINT NSW 2259 | Lots 9/10 Sec M DP 1596 & Lots 33/34 Sec M DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 16 Bewick Street, WYEE POINT NSW 2259 | Lot 5 Sec J DP 1596, Lot 6 Sec J DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 18 Bewick Street, WYEE POINT NSW 2259 | Lot 7 Sec J DP 1596, Lot 8 Sec J DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 24 Bewick Street, WYEE POINT NSW 2259 | Lot 5 Sec N DP 1596, Lot 6 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 26 Bewick Street, WYEE POINT NSW 2259 | Lot 7 Sec N DP 1596, Lot 8 Sec N DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 30 Clarence Street, WYEE POINT NSW 2259 | LOTS 34/35 SEC O DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 28 Brooks Street, WYEE POINT NSW 2259 | Lot 33 Sec T DP 1596, Lot 34 Sec T DP 1596 | LAKE MACQUARIE CITY COUNCIL |
| 38 Clarence Street, WYEE POINT NSW 2259 | LOTS 27/28 SEC N DP 1596 | Other private individual owner |

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|---|---|-----------------------------------|
| 21 Sweetland Street, WYEE POINT NSW 2259 | LOTS 23/24 SEC N DP 1596 | Other private individual owner |
| 12 Bewick Street, WYEE POINT NSW 2259 | LOTS 1/4 SEC J DP 1596 | Other private individual owner |
| 14 Bewick Street, WYEE POINT NSW 2259 | SEC J COR LOT 1/4 DP1596 40.23X40.23 | Other private individual owner |
| 19 Sweetland Street, WYEE POINT NSW 2259 | LOTS 25-26 SEC N DP 1596 | Other private individual owner |
| 19 Sweetland Street, WYEE POINT NSW 2259 | LOTS 25-26 SEC N DP 1596 | Other private individual owner |
| 25 Sweetland Street, WYEE POINT NSW 2259 | LOTS 19/20 SEC N DP 1596 | Other private individual owner |
| 23 Sweetland Street, WYEE POINT NSW 2259 | LOTS 21/22 SEC N DP 1596 | Other private individual owner |
| 23 Sweetland Street, WYEE POINT NSW 2259 | LOTS 21/22 SEC N DP 1596 | Other private individual owner |
| 52 Broughton Street, WYEE POINT NSW 2259 | LOTS 18/19 SEC Q DP 1596 | Other private individual owner |
| 9 Bewick Street, WYEE POINT NSW 2259 | SEC M COR LOT 18/25 DP1596 80.47X40.23 | Other private individual owner |
| 11 Bewick Street, WYEE POINT NSW 2259 | SEC M COR LOT 18/25 DP1596 80.47X40.23 | Other private individual owner |
| 13 Bewick Street, WYEE POINT NSW 2259 | SEC M COR LOT 18/25 DP1596 80.47X40.23 | Other private individual owner |
| 15 Bewick Street, WYEE POINT NSW 2259 | LOTS 18/25 SEC M DP 1596 | Other private individual owner |
| 42 Clarence Street, WYEE POINT NSW 2259 | LOTS 31/32 SEC N DP 1596 | Other private individual owner |