

PLANNING PROPOSAL

Amendment to the Maitland LEP

Farley Investigation Area

Version 1.0
13.09.10



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Version

Version 1.0 – s.55 Report to Council

INTRODUCTION

In accordance with cl. 55 of the Environmental Planning and Assessment Act 1979, this planning proposal has been prepared to allow for the rezoning of land within the Farley Investigation Area to support the growing residential population in the western sector of the Maitland LGA. The location of the Farley Investigation Area is shown in **Appendix 1 – Location Map**. The Lower Hunter Regional Strategy 2006 identifies the site as a 'Proposed Urban Area'. The Maitland Urban Settlement Strategy 2010 (MUSS 2010) identifies the Farley Investigation Area as a Category 1 investigation area, indicating a development timeframe of approximately 0-5 years for the site. Preparation of a planning proposal for the subject site is the next step in having the land considered for rezoning to urban purposes. This report covers a number of matters including the history of the proposal, relevant local and state planning/environmental policies to be considered, environmental issues requiring consideration, and government agencies that are likely to be notified during the consultation process.

Figure 1 below is taken directly from the LHRs 2006 (p. 12-13) and illustrates the location of Farley in the context of the Lower Hunter Region (note the 'Proposed Urban Area' of Farley indicated by the red outline and white coloured area).

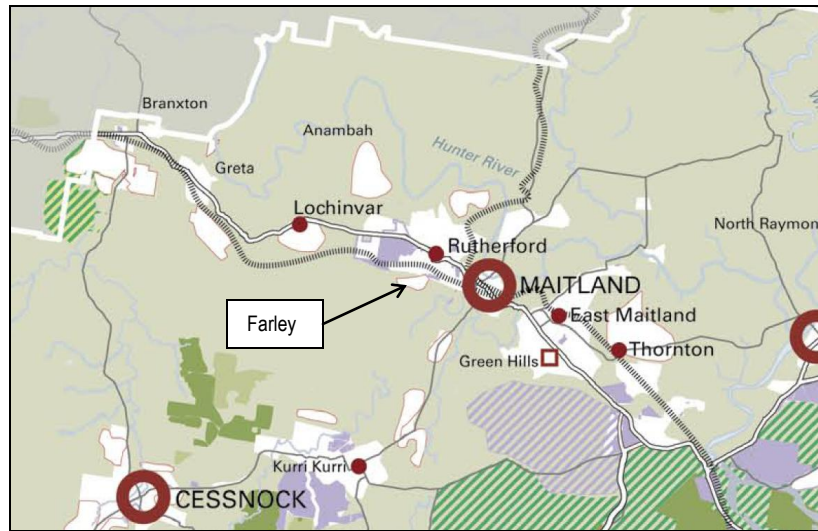


Figure 1: Farley in the context of the Lower Hunter Region (source: LHRs 2006)

The planning proposal signals Council's intent to progress rezoning of the Farley URA. The proposal is consistent with the MUSS 2010, which is yet to be endorsed by the Department of Planning and Infrastructure (DoPI). Farley was updated to Category 1 status following endorsement of the MUSS in 2008, and the site was subsequently endorsed by DoP as a Category 1 investigation area under the MUSS 2008. This amendment will support the strategic approach of both DoPI and Council to accommodating significant population growth within the Lower Hunter region and the Maitland LGA.

PART 1: OBJECTIVES or INTENDED OUTCOMES

The objectives of this planning proposal are:

- *To rezone land within the Farley URA to enable a variety of land uses, including residential, recreational and environmental;*
- *To enable the sequencing of land to support the sustainable growth and development of the Farley URA;*
- *To minimise environmental impacts associated with rezoning the land to urban purposes, including acoustic impacts from the Main Northern Railway Line and Wollombi Road, and the protection of existing vegetation communities within the site;*
- *To promote the use of public transport by accommodating appropriate linkages and dedicating sufficient areas to support public transport infrastructure and services; and*
- *To promote the logical extension of all necessary public infrastructure such as electricity, reticulated water, sewer and roads to the site.*

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 004A & 004B of the **Land Zoning Map** to show the relevant portions of the site as zone R1 General Residential, E3 Environmental Management and RU2 Rural Landscape and inserting in the relevant clause of the written instrument:

Maitland Local Environmental Plan 2011 (Amendment X) – Farley Urban Release Area
- (2) amending sheets 004A & 004B of the **Lot Size Map** to illustrate the minimum lot sizes for the respective zones, being 450m² for land to be zoned R1 General Residential and 40Ha for land to be zoned E3 Environmental Management or RU2 Rural Landscape
- (3) amending sheets 004A & 004B of the **Urban Release Area Map** to add the Farley Urban Release Area.

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 Farley Investigation Area has been identified in the Lower Hunter Regional Strategy (LHRS) 2006 as a 'Proposed Urban Area', identified on the LHRS Map (LHRS 2006:12-13). This planning proposal for the Farley Investigation Area results from Council's initial adoption of the Maitland Urban Settlement Strategy 2008 Review Edition (in March 2009), where it was recommended that the investigation area be upgraded from a Category 2 investigation area to a Category 1 investigation area, pending environmental investigations. Following receipt of environmental studies in September 2009, Council's resolution from 10 November 2009 includes a recommendation that the gazettal of the rezoning amendment is to occur post-Maitland LEP 2011 gazettal. The Council reports and resolutions from both 10 November 2009 and 27 July 2010 are included with this report as **Appendix 3**.

The MUSS had included the Farley Investigation Area (FIA) as a Category 2 investigation area for some time, and at the time of endorsement of the MUSS 2008 review edition in 2009, the FIA was included as a Category 2 investigation area. A copy of the relevant sections of the recently adopted MUSS 2010 review edition and the Executive Summary map are included as **Appendix 4**.

At its meeting on 10 March 2009, Council adopted the 2008 edition of the Maitland Urban Settlement Strategy (MUSS), and added an additional recommendation requesting that landowners in the Farley Investigation Area (IA):

- complete necessary background studies to enable further consideration by the Council; and
- that within two (2) months of receipt, a detailed assessment of the background reports be presented to the Council to establish the fundamental principles to guide the future development of the area, such also to include the recommended timing of the rezoning of the area in accordance with the Council's Release Program.

The Department of Planning endorsed the MUSS 2008 review edition in September 2009, at which point in time the aforementioned background studies had not been submitted to Council for the Farley Investigation Area. Background studies relating to the Farley IA were received by Council on 18 September 2009 and Council officers made a detailed assessment of the information and conclusions contained in the reports.

A subsequent report for the consideration of the environmental investigations for Farley (solely regarding progression to Category 1 under the MUSS) was prepared for consideration by Council on 10 November 2009. The report recommended that the rezoning of land at Farley would not occur till after completion of 2011 LEP. The purpose of deferring gazettal until after this time was to allow for the appropriate investigations and studies to be completed and the preparation of a detailed planning proposal for the investigation area prior to the drafting of an LEP amendment. The recommendations of the report were that:

- *The Farley Investigation Area be classified to Category 1 in the Maitland Urban Settlement Strategy and the document be amended accordingly;*
- *In line with Council's adopted land release program, the rezoning of the Farley IA is maintained till after the preparation of Maitland LEP 2011; and*

- Council send notification to Department of Planning regarding this report for the amendment to Farley to be endorsed.

This planning proposal will allow the rezoning of the Farley Investigation Area to predominantly urban purposes, pending further investigations, thereby continuing from the abovementioned reporting stages which identified the progression of the land to Category 1 in order to expedite investigations for rezoning the site.

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 LEP 2011 through the Gateway process and preparation of this planning proposal is the most effective and timely method to achieve the vision and objectives of the Lower Hunter Regional Strategy 2006 and MUSS 2010. The proposal will permit the rezoning of land that has been identified under both strategies as future urban land.

3. Is there a net community benefit?

The rezoning proposal does not include a determination of Net Community Benefit, since no NCB test was undertaken by the proponent. There is likely to be a net community benefit resulting from the rezoning proposal, since:

- Rezoning of the site will meet the objectives of the LHRS 2006 in regards to accommodating future urban land in Farley;
- The proposal demonstrates consistency with Council's adopted land release strategy – the MUSS 2010 – where the site is identified as Category 1 land; and
- rezoning land for a range of purposes within the investigation area will generate the necessary foundations to create and enhance a sense of neighbourhood and community in the locality.

Section B – RELATIONSHIP to STRATEGIC PLANNING FRAMEWORK

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

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

The LHRS 2006 provides regional context in planning for population growth within the Lower Hunter region. The strategy discusses opportunities for urban release areas, infill development, centres and corridors, and employment generating lands. The LHRS 2006 (p.27) identifies that between 2006 and 2031 the Maitland LGA is projected to accommodate an additional 26,500 dwellings. It is anticipated that the majority of dwellings (21,500) will be contained within new urban release areas, while centres (2,000) and urban infill (3,000) development will comprise the remaining 5,000 dwellings. The LHRS 2006 identifies 'release areas' generally with an area greater than 50 hectares. While the LHRS 2006 (p. 25) does not identify the Farley Investigation Area as a 'major release site', the site is identified in the LHRS 2006 as a 'proposed urban area' and the proposal to rezone the land is consistent with the principles of the LHRS 2006. Furthermore, the site is identified as a Category 1 investigation area in the MUSS 2008, which is an endorsed local strategy.

LHRS 2006 - Neighbourhood Planning Principles

The planning proposal is consistent with the neighbourhood planning principles outlined under the LHRS 2006 (p.26). These principles are as follows:

- A range of land uses to provide the right mix of houses, jobs, open space, recreational space and green space.
- Easy access to major town centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops.
- Jobs available locally and regionally, reducing the demand for transport services.
- Streets and suburbs planned so that residents can walk to shops for their daily needs.
- A wide range of housing choices to provide for different needs and different incomes. Traditional houses on individual blocks will be available with smaller, lower maintenance homes. Units and terraces for older people and young singles or couples.
- Conservation lands in-and-around the development sites, to help protect biodiversity and provide open space for recreation.
- Public transport networks that link frequent buses into the rail system.

The proposal complies with these principles since:

- The rezoning proposes to accommodate a range of land uses for residential, environmental, recreational and public purposes.
- While the proposal does not involve rezoning any portion of the site to commercial purposes, the site is located in relatively close proximity to Rutherford Town Centre.
- The proposal does not involve rezoning any part of the site to commercial purposes, however employment opportunities are likely within the nearby Rutherford Industrial Investigation Area in the future.
- The rezoning will lead to the requirement of a concept layout in association with precinct planning, to identify proposed road networks and to illustrate the likely routes for residents to walk to bus stops in order to travel to the nearby Rutherford Town Centre.
- Given that the LHRS 2006 (p.25) has identified the Farley Investigation Area as a 'proposed urban area', zoning the majority of the land for residential purposes is likely to provide for a range of housing types. Further investigations, particularly those relating to noise and vibration, are required for the site to determine whether higher density of built form is appropriate in close proximity to the rail corridor.
- The rezoning proposal considers biodiversity by applying environmental protection zones over important Endangered Ecological Communities (EECs) within the site. The application of these zones improves amenity and provides a sensible interface with urban development in these areas of the site.
- The Farley Investigation Area does not retain access to a public railway station. Bus routes will be provided in time to service the residents within the site, in order to link to residents to public rail facilities within the Maitland LGA.

The planning proposal is consistent with the Housing actions outlined under the LHRS 2006 (p.27-28), namely the following:

- Sufficient land and development capacity will be identified and rezoned to meet forecasted demands for an additional 115,000 dwellings between 2006 and 2031.
- Councils will revise their LEPs to be consistent with the identified urban footprint within the LHRS.
- Council's will revise their LEPs to be consistent with the dwelling capacity projections for their LGA.
- Implement an Urban Development Program to monitor housing supply and demand.

- Ensure that planning and design of new release areas is based on Neighbourhood Planning Principles.

The proposal complies with these principles since:

- The proposal will assist in meeting Maitland City Council's dwelling capacity projections of 26,500 dwellings by 2031.
- The proposal will amend the Maitland LEP 2011 to accommodate additional urban land to permit future residential development which will contribute to meeting dwelling capacity projections.
- The proposal is consistent with the provisions of the MUSS 2008, which is an endorsed local strategy that assists in monitoring housing supply and demand.
- The proposal is consistent with the Neighbourhood Planning Principles.

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 Farley Investigation Area is one of the identified urban release areas within MUSS 2010, being a Category 1 investigation area. A copy of the relevant section of the MUSS 2010 is included as **Appendix 4**.

The subject land is identified as an urban release area in the MUSS 2010, therefore this planning proposal addresses the broad planning objectives listed under the MUSS relating to investigation areas. These objectives include character, environment, design, and infrastructure.

- Character
- Environment
- Design
- Infrastructure

Character

The rezoning proposal can meet the objective of "character" by enhancing the interface between urban and rural land in this area of the Maitland LGA, thereby contributing to the improvement of this important gateway to Maitland. The proposal has considered issues of character, including built and cultural heritage, opportunities for a future neighbourhood centre, minimisation of land use conflicts, retention of vegetation, establishing a high quality urban landscape, and enhancing attractive gateways. The proposal is considered to be consistent with this objective of the MUSS 2010.

Environment

The MUSS 2010 (p. 62) identifies specific objectives in regards to planning for investigation areas. The following objectives relate to the environment:

- Retain and enhance established flora and fauna corridors;
- Conserve and protect important areas of remnant native bushland and wetlands;
- Ensure that the physical amenity and ecology of waterways are not adversely impacted by new urban development;

- Prevent any further deterioration of water quality and prevent local flooding;
- Minimise soil erosion;
- Encourage design that enhances energy efficiency and the minimisation of waste;
- Mitigate against bushfire;
- Rehabilitate disturbed or degraded areas;
- Utilise environmental assets to create a healthy and safe living environment;
- Enhance Maitland's gateways with natural landscaping.

The proposal to rezone the site is consistent with these objectives, since:

- The proposal does not impact upon any significant established flora and fauna corridors as urban development will only be permitted within the cleared areas of the site, with existing intact corridors and EECs protected through environmental protection zones, where appropriate;
- The application of the environmental protection zones over some of the existing corridors and EECs within the site will conserve and protect areas of remnant vegetation and intermittent watercourses within the site;
- Environmental studies have demonstrated that the physical amenity and ecology of the existing watercourses and associated wetland vegetation will not be significantly impacted upon as a result of the rezoning, and as stated above, the proposal will extend environmental protection zones over important areas within the site which will further improve the amenity of the site;
- The proposal will not contribute significantly to local flooding, while development controls are to be implemented over the entire site in the future to ensure that water entering the various watercourses within the site is of appropriate quality;
- As stated above, appropriate development controls will be implemented in the future which will contain appropriate mechanisms for controlling erosion and sedimentation;
- The rezoning proposal demonstrates that the majority of the site will be zoned for residential purposes, with the orientation of the site ensuring that the future development can easily be designed to maximise energy efficiency. Any future proposal for development within the site will be subject to Council's development control principles at that point in time, including provisions relating to waste minimisation;
- While the proposal has not considered bushfire impacts and how to mitigate against bushfire risk, this issue is not considered to be a matter that would preclude development within the site, and in any case a bushfire risk assessment can be undertaken during preparations for future precinct planning for the site, and in conjunction with future Development Applications;
- The application of environmental protection zones over significant areas of the site will assist in providing opportunities for disturbed or degraded areas within the site to be rehabilitated;
- Protection of important vegetation and watercourses within the site through the application of environmental protection zones will contribute to the overall amenity of the site, since these natural assets will continue to enhance the site; and

- The rezoning of the site will contribute to enhancing Maitland's natural landscape by protecting existing natural features within the site and will enhance this gateway in the Maitland LGA by contributing to the integration of built form and the natural landscape in the locality.

Design

The proposal involves rezoning the subject land for urban purposes, in order to enable future subdivision of the site for residential development. While the design of roads, stormwater detention areas, active and passive recreation areas, and infrastructure servicing will be assessed as part of any future precinct planning, and during assessment of future Development Applications, the site maintains the topography, amenity and general characteristics to accommodate a quality pattern of urban development in the future.

Infrastructure

Roads, infrastructure and services currently exist in the immediate locality and consideration has been given to the extension of these services to accommodate future urban development at the site. While a preliminary water and wastewater servicing report was included with the planning proposal, detailed strategies have not yet been submitted to/approved by Hunter Water Corporation (HWC) in relation to water and wastewater servicing for the site. It is anticipated that a Gateway determination will require consultation with HWC regarding water and wastewater infrastructure servicing capacities. Other infrastructure agencies will be contacted during consultation phase, to ensure that infrastructure servicing is not an impediment to future urban development.

Proposal to Undertake Further Investigations

The Maitland to Minimbah Third Track project was approved by the Minister for Planning on 20 December 2010. Impacts from noise, vibration and emissions are proposed to increase along the Main Northern Railway Line as a result of increased operations permitted by this approval. Council proposes to zone land adjoining the rail corridor for residential purposes, pending further detailed investigations regarding noise, vibration and, potentially air quality, as part of future precinct planning. The Minister's determination for the Third Track proposal (included as **Appendix 5**) did not acknowledge the Farley URA as a sensitive receiver despite its status at that time as a Category 1 site under the endorsed MUSS 2008 and its status under the LHRs 2006 as a 'proposed urban area'. Furthermore, the Minister's determination did not include any specific details of noise/vibration attenuation requirements associated with the Third Track proposal. Without a clear understanding of the proposed methods of noise/vibration attenuation, and the impact that such methods could have on reducing noise/vibration generated from operational movements within the rail corridor, Council is not yet in a position to make an informed decision on how to best control development adjoining the rail corridor. Any requirements for noise and vibration attenuation to be provided along the rail corridor by the proponent of the Third Track project are likely to significantly influence the types of land uses that are appropriate for the northern and eastern extents of the Farley URA.

MUSS 2010 – Farley Investigation Area

The MUSS 2010 identifies specific environmental considerations to be addressed as part of any future planning for the Farley Investigation Area. These include integrating existing development, limiting visual impact, considering impacts on road and rail infrastructure, ensuring bushfire, flooding and other environmental constraints are appropriately managed, and ensuring capacity exists for the proper augmentation of infrastructure in the locality. A copy of the relevant section of the MUSS 2010 is included as **Appendix 4**.

The MUSS states that *"Structure planning for the Investigation Area is encouraged to determine development outcomes, in consultation with the local community."* (MUSS 2010:87). Unlike other investigation areas of a similar scale (e.g. Thornton North, Lochinvar) that have been required to undertake structure planning prior to rezoning, a structure plan was not adopted by Council for the Farley Investigation

Area. Planning for the site beyond the Gateway determination will need to incorporate appropriate detail in regards to structure and layout as part of planning throughout the rezoning and precinct planning stages. The environmental studies submitted as part of the rezoning application have substantially addressed the abovementioned issues. Further discussion of these issues is provided in the following sections, particularly sections 9 & 12. It is considered that any outstanding matters could be addressed as part of the preparation of future precinct planning for the site.

Maitland Greening Plan, 2002

The Maitland Greening Plan identifies an “opportunity corridor” for wildlife within the Farley Investigation Area (MGP 2002:53). The purpose of this opportunity corridor is to identify land for priority revegetation (to be undertaken on a *voluntary* basis), which would ideally lead to suitable habitat for wildlife to traverse other connecting corridors within the Maitland LGA. However, opportunities for revegetation in the developable portion of the site are limited given that this would be a direct contradiction to the objectives of the LHRS 2006 and the MUSS 2010. The LHRS identifies the site as a ‘Proposed Urban Area’ (LHRS 2006:12), while the MUSS 2010 identifies the site a Category 1 investigation area (0-5 year development timeframe).

It should be noted that the Greening Plan was adopted in 2002 and land use strategies such as the LHRS 2006 and the MUSS did not exist at this point in time. Furthermore, the MUSS has been revised biennially since this time, however the Greening Plan 2002 has not been revised to accommodate the outcomes of these land use strategies. The proposal involves significant additional environmental protection within the site, by applying environmental protection zones over important EECs within the site. This will provide opportunities for vegetation and wildlife protection that are considered to be more effective, and of a higher conservation value, than those that were initially proposed under the Greening Plan in 2002.

Given that: (i) the majority of the developable portion of the site is cleared, (ii) the rezoning involves retention of important EECs within the site under environmental protection zones and (iii) Council's resolution to adopt the MUSS 2010 signalled the intent of the site to be rezoned in the future for urban purposes, rezoning the majority of the site to urban purposes is considered appropriate in this instance. In any case, while the Greening Plan 2002 identifies land for priority revegetation, this is only on a *voluntary* basis.

Activity Centres & Employment Clusters Strategy 2010

The Activity Centres and Employment Clusters Strategy 2010 (ACECS 2010:30) identifies that the projected development in the Farley Investigation Area is likely to warrant the provision of a future neighbourhood centre. No portion of the site is to be rezoned for commercial purposes as part of this planning proposal. It is likely that an appropriately sized area in the vicinity of this portion of the site will be rezoned to accommodate a neighbourhood centre in the future, subject to need and uptake of future urban residential allotments which would warrant any such centre. A copy of the relevant extracts from the ACECS 2010 are included as **Appendix 6**.

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

There are no existing or draft SEPPs that would prohibit or restrict the proposed rezoning, 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 No. 55 - Remediation of	Provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be	The site has been subject to agricultural activities over time and

Land	developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.	may accommodate chemical residues from activities such as cattle drenching, and from fertilisers and herbicides. A preliminary geotechnical report was submitted with the rezoning application. The report recommends further site specific detailed investigations to confirm the absence/presence of contamination in specific areas of the site. Without more detailed assessment at this point in time, it cannot be guaranteed that the proposal is consistent with this SEPP. Further detailed investigations will need to occur at the precinct planning/DA stages in order to determine the extent of any contamination in these specified locations.
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.	While nothing in this planning proposal directly impacts upon the aims and provisions of this SEPP, the Maitland to Minimbah Third Track rail project is likely to introduce noise and vibration effects that could significantly impact land within the Farley URA, based on the relevant levels outlined under the SEPP. The EA for the Third Track project identified that noise and vibration generated from the proposed Third Track has the potential to exceed human comfort levels for certain land uses within 40m of the rail corridor, as measured against the SEPP. Given this, the northern and eastern areas of the site adjoining the rail corridor will require further investigations in association with precinct planning to confirm the actual extent of noise, vibration and emissions that are to be generated from operational movements along the Third Track. The Part 3A determination for the Third Track project (see Appendix 5) states that an Operational Noise and Vibration Review (ONVR) is required within 3 months of the commencement of operations, to clarify the data recorded for the Part 3A application for the project. Where noise or vibration

		exceeds the data recorded to inform the Part 3A project, there may be requirements for ameliorative measures to be provided to limit noise and vibration on land adjoining the rail corridor. The determination also states that the assessment shall include: <i>"A review of land use planning, any land use changes and the background noise environment within areas adjacent to the rail line at the time of the review."</i>(Condition 2.16, p. 8) This requirement indicates that the rezoning of the Farley URA would trigger review of noise and vibration levels and how they impact on a large <i>residential</i> area. The Department will be required to consult internally to determine whether any future ONVR considers the land use change once the Draft LEP is gazetted and the land use change is legally endorsed. Condition 2.15 of the determination states that the ONVR shall: <i>"Identify specific physical and other mitigation measures for controlling noise and vibration at the source and at the receiver (if relevant) including location, type and timing for the erection of permanent noise barriers and/or other noise mitigation measures"</i> (p. 8) Adherence to this condition will ensure that appropriate measures are taken to mitigate the impacts of noise and vibration emitted from the Third Track project. Any requirements for noise and vibration attenuation to be provided along the rail corridor by the proponent of the Third Track project are likely to significantly influence the types of land uses that are appropriate for the northern and eastern extents of the Farley URA.
SEPP (Rural Lands) 2008	This SEPP outlines aims and objectives for rural land use planning, with a focus on limiting fragmentation of rural land and protecting rural land for broad scale agricultural uses.	This SEPP is relevant since the majority of the site is currently zoned for rural purposes under the Maitland LEP 1993.

		The site is identified under the LHRs 2006 (p. 12-13) as a 'Proposed Urban Area'. Nothing in this plan is inconsistent with the objectives of this SEPP.
SEPP 44 – Koala Habitat	This SEPP aims to conserve and manage areas which provide habitat to koalas, in order to reverse the declining koala population in NSW.	Two (2) Koala feed tree species were identified within the site (<i>Eucalyptus tereticornis</i> and <i>Eucalyptus punctata</i>). Preliminary flora and fauna information submitted as part of the rezoning proposal indicates that the land is unlikely to support Koalas. The flora and fauna report states that the site does not support vegetation that would meet the definition of Potential Koala Habitat as listed under Schedule 2 of SEPP 44 (i.e. at least 15% of the total number of trees in the upper and lower strata of the tree component). The proposal is consistent with SEPP 44 - Koala Habitat.

Table One: Relevant State Environmental Planning Policies

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

While information submitted with the rezoning proposal suggests that the proposal is not inconsistent with any s.117 Ministerial Directions, the outcomes of further environmental investigations are required in some instances to confirm this. 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	To protect the agricultural production value of rural land.	The Farley Investigation Area is identified in the LHRs 2006 (p.12-13) as a 'Proposed Urban Area', and is also identified as a Category 1 investigation area in the MUSS 2010 (p. 13). The proposal is therefore consistent with this direction.
1.5 Rural Lands	To protect the agricultural production value of rural land, and to facilitate the	The Farley Investigation Area is identified in the LHRs 2006 (p.12-13) as a 'Proposed Urban

Ministerial Direction	Aim of the Direction	Consistency and Implications
	orderly and economic development of rural lands for rural and related purposes.	Area', and is also identified as a Category 1 investigation area in the MUSS 2010 (p. 13). The proposal is therefore consistent with this direction.
ENVIRONMENT and HERITAGE		
2.1 Environment Protection Zones	To protect and conserve environmentally sensitive areas.	The proposal to rezone the land will increase the environmental protection of EECs within the site. The proposal involves applying environmental protection zoning to important EECs outside the proposed developable area of the site. No portion of the site is currently zoned for environmental protection purposes, therefore the proposal will result in improved environmental outcomes within the site. The planning proposal is consistent with this direction.
2.3 Heritage Protection	To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The subject land contains known items of heritage significance. Investigations relating to Aboriginal Heritage have been completed for the site. Mindaribba Local Aboriginal Land Council have agreed with the findings in the submitted Aboriginal heritage assessment report. Curtilage mapping around known items such as Owl Pen House will be required to be undertaken as part of precinct planning for the site, in line with the recommendations made in the European Heritage report. The majority of the developable area of the site does not retain known items of heritage significance, therefore further assessment of European heritage can occur in association with any future precinct plans for the URA. The heritage provisions contained under the Draft Maitland LEP 2011 are not proposed to be amended as part of the subject planning proposal. Future curtilage mapping will ensure the protection of any heritage items that exist within the Farley URA. The proposal is therefore consistent with this direction.
HOUSING, INFRASTRUCTURE and URBAN DEVELOPMENT		
3.1 Residential Zones	Encourage a variety and choice of housing, minimise the impact of residential development on the environment and resource lands and make efficient use of infrastructure and services.	The proposed rezoning will result in a change of land use to enable future urban development within the site. The land is identified as a 'Proposed Urban Area' (p. 12) in the LHRS 2006, and as a Category 1 investigation area in the MUSS 2010 (p. 13). The proposal is therefore

Ministerial Direction	Aim of the Direction	Consistency and Implications
		consistent 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.	The Farley Investigation Area is identified as a 'Proposed Urban Area' in the LHRs 2006 (p. 12). The proposal is therefore consistent with this direction.
3.3 Home Occupations	The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.	The proposal is consistent with this direction, given that the majority of the land proposed to be developed in the future within the investigation area is for residential purposes.
3.4 Integrating Land Use and Transport	The objectives relate to the location of urban land and its proximity to public transport infrastructure and road networks, and improving access to housing, jobs and services by methods other than private vehicles.	The land is well located to support the surrounding and nearby residential development and to provide high levels of accessibility to existing road and public transport networks, including the New England Highway and Rutherford Town Centre. The land is identified as a 'Proposed Urban Area' in the LHRs 2006 (p. 12), and as a Category 1 investigation area in the MUSS 2010 (p. 13) - which has been endorsed by DoP. The proposal is consistent with this direction.
HAZARD and RISK		
4.1 Acid Sulphate Soils	To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	The land is not known to be affected by Acid Sulphate Soils (ASS), however information and mapping relating to ASS in the area is limited. The Draft Maitland LEP 2011 identifies the site as being affected by Class 5 ASS. The environmental studies submitted with the proposal did not identify whether an assessment of ASS was undertaken within the site. Therefore, further consideration of ASS should be undertaken during future geotechnical investigations as part of the preparation of a DCP/ Area Plan for the Farley Investigation Area. Until further assessment of ASS occurs, it cannot be guaranteed that the proposal is consistent with this direction.
4.3 Flood Prone Land	Directions aims to reduce the risk of flood and to ensure that the development of flood prone land is consistent with NSW Flood Prone land policy.	The portion of the site proposed to be zoned for residential purposes is located above the 1:100 year flood level. In any case, the area of the site constrained by flooding represents only a very limited portion of the total site area, and is proposed to be zoned RU2 Rural Landscape given it adjoins rural land comprising the same zone. The proposal is therefore consistent with

Ministerial Direction	Aim of the Direction	Consistency and Implications
		this direction as the matter is of minor significance in this instance.
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.	Land within the investigation area is mapped as bushfire prone. The bushfire prone land map for the site is attached to this report as Appendix 7 . The NSW Rural Fire Service has not yet been consulted as part of the rezoning process. However, the site is identified in the LHRs 2006 as a 'Proposed Urban Area' (p. 12). While bushfire is not considered to preclude urban development within the site, the proposal cannot be considered to be consistent with this direction until the RFS provide written advice stating that they do not object to the proposal.
REGIONAL PLANNING		
5.1 Implementation of Regional Strategies	To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The Farley Investigation Area is identified in the LHRs 2006 (p. 12) as a 'Proposed Urban Area'. The planning proposal achieves the overall intent of the LHRs 2006 and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions. The proposal is therefore consistent with this direction.
LOCAL PLAN MAKING		
N/A - The provisions of the s.117 directions relating to local plan making do not apply to the subject planning proposal.		
METROPOLITAN PLANNING		
The provisions of the s.117 directions relating to metropolitan planning do not apply to the subject planning proposal.		

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?

The subject site retains Endangered Ecological Communities (EECs), comprising Lower Hunter Spotted Gum Ironbark and Hunter Lowland Redgum Forest. The location of most of these EECs within the site renders them susceptible to urban development, which could have adverse impacts. Despite the site being identified in the LHRs 2006 as a 'Proposed Urban Area' (LHRs 2006:12-13), and being listed in the MUSS 2010 (p. 13) as a Category 1 investigation area, appropriate assessment was required to be undertaken to determine the likely impacts on threatened species and potential critical habitat. The flora and fauna report submitted with the rezoning proposal identified a total of five threatened fauna species within the site. The

report stated that a search of the NSW Atlas of Wildlife Database identified that an additional threatened species, the Squirrel Glider, has previously been recorded within the subject site. An assessment of fauna habitat significance identified vegetation along the southern boundary of the site, along with riparian areas and wetlands, as offering the highest habitat value for local fauna.

Two (2) Koala feed tree species were identified within the site (*Eucalyptus tereticornis* and *Eucalyptus punctata*). Preliminary flora and fauna information submitted as part of the rezoning proposal indicates that the land is unlikely to support Koalas. The flora and fauna report states that the site does not support vegetation that would meet the definition of Potential Koala Habitat as listed under Schedule 2 of SEPP 44 (i.e. at least 15% of the total number of trees in the upper and lower strata of the tree component). The proposal is consistent with SEPP 44 - Koala Habitat. Given the cleared nature of the site, the lack of Koala habitat as identified in the submitted flora and fauna report, and Council's intention to apply environmental protection zones to remaining vegetation within the site, the referral of the application to the Director-General of the DECCW in accordance with section 34A of the Environmental Planning and Assessment Act, 1979 is not considered necessary in this instance.

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

The proposal will have environmental impacts at a number of scales. The following subheadings summarise the main issues likely to require attention as part of the rezoning.

Flora & Fauna

The subject site retains Endangered Ecological Communities (EECs), comprising Lower Hunter Spotted Gum Ironbark Forest and Hunter Lowlands Redgum Forest. The Maitland Greening Plan identifies an "opportunity corridor" for wildlife within the site (MGP 2002:53). The purpose of this opportunity corridor is to identify land for priority revegetation (to be undertaken on a voluntary basis), which would ideally lead to suitable habitat for wildlife to traverse other connecting corridors within the Maitland LGA. The rezoning has considered alternative vegetation pockets/wildlife corridors within the site, which will be zoned for environmental protection purposes as part of this proposal. It is proposed that, over time, these corridors would extend beyond the boundaries of the site and link to existing vegetation corridors and vegetation communities within the locality. Furthermore, the submitted flora and fauna report states that the condition of the vegetation within the identified wildlife corridor in the MGP 2002 is such that the removal of, or modification to, this vegetation within the site would not reduce its function as the main corridor exists west of the subject site, beyond the western boundary of the Farley URA.

The flora and fauna report submitted with the rezoning proposal identified a total of five threatened fauna species within the site. The report stated that a search of the NSW Atlas of Wildlife Database identified that an additional threatened species, the Squirrel Glider, has previously been recorded within the subject site. An assessment of fauna habitat significance identified vegetation along the southern boundary of the site, along with riparian areas and wetlands, as offering the highest habitat value for local fauna. Two (2) Koala feed tree species were identified within the site (*Eucalyptus tereticornis* and *Eucalyptus punctata*). Preliminary flora and fauna information submitted as part of the rezoning proposal indicates that the land is unlikely to support Koalas. The flora and fauna report states that the site does not support vegetation that would meet the definition of Potential Koala Habitat as listed under Schedule 2 of SEPP 44 (i.e. at least 15% of the total number of trees in the upper and lower strata of the tree component). The proposal is consistent with SEPP 44 - Koala Habitat. Council is satisfied that flora and fauna issues can be addressed through the implementation of environmental protection zones over important remnant vegetation communities within the site. The cleared nature of the majority of the site means that flora and fauna issues tend to be limited to

these areas. The proposal is unlikely to have any significant adverse impacts on flora or fauna within the site.

Bushfire

The subject land is classified as bushfire prone on Council's property information system. It should be noted that the MUSS 2010 states that *"Bushfire hazard reduction should not impact on the biodiversity of the Farley area."* (MUSS 2010:88). A bushfire risk assessment was not submitted with the rezoning proposal. A detailed report will be required to address bushfire risk, in accordance with Planning for Bushfire Protection 2006 (PfbP 2006). The report will need to provide an indicative lot layout/precinct layout and identify the bushfire hazard, in demonstrating how the proposal complies with PfbP 2006. Council considers that this report could be provided during more detailed precinct planning/design stages, given the size of the site and the extent of bushfire prone vegetation.

Noise & Vibration

The MUSS 2010 (p. 88) identifies that "The recent approval of the Maitland to Minimbah Third Rail Track project will require additional investigation into the impacts of noise and vibration on the Investigation Area, since rail movements are proposed to increase significantly and the rail corridor adjoins the northern boundary of the site." (MUSS 2010:88). Recent approval of the Maitland to Minimbah Third Track project means that the Main Northern Railway Line will have significant impacts on future development within the site, therefore future land uses should reflect the noise constraints by permitting appropriate development within the site, such as permitting less sensitive land uses closer to the railway line. Such planning will be required as part of future precinct planning for the site.

The northern and eastern areas of the site adjoining the rail corridor will require further investigations in association with precinct planning to confirm the actual extent of noise, vibration and emissions that are to be generated from operational movements along the Main Northern Rail Line, given the recently approved Third Rail Track project. A copy of the submission prepared by Maitland City Council regarding the Third Track project is attached as **Appendix 5**. The submission raises concerns about the potential impacts on urban release areas like Farley, and outlines the planning work undertaken to date for such urban release areas.

The Part 3A determination for the Third Track project (see **Appendix 5**) states that an Operational Noise and Vibration Review (ONVR) is required within 3 months of the commencement of operations, to clarify the data recorded for the Part 3A application for the project. Where noise or vibration exceeds the data recorded to inform the Part 3A project, there may be requirements for ameliorative measures to be provided to limit noise and vibration on land adjoining the rail corridor. The determination also states that the assessment shall include:

"A review of land use planning, any land use changes and the background noise environment within areas adjacent to the rail line at the time of the review."(Condition 2.16, p. 8)

This requirement indicates that the rezoning of the Farley URA would trigger review of noise and vibration levels and how they impact on a large *residential* release area which is identified under the LHRS 2006. The Department will be required to consult internally to determine whether any future ONVR does indeed consider the land use change once the Draft LEP is gazetted and the land use change is legally endorsed.

Condition 2.15 of the determination states that the ONVR shall:

“Identify specific physical and other mitigation measures for controlling noise and vibration at the source and at the receiver (if relevant) including location, type and timing for the erection of permanent noise barriers and/or other noise mitigation measures” (p. 8)

Adherence to this condition will ensure that appropriate measures are taken to mitigate the impacts of noise and vibration emitted from the Third Track project.

Traffic

The MUSS 2010 (p. 87) discusses the importance of access to the site from Wollombi Road and how this relates to the future Southern Bypass route, which would likely utilise Wollombi Road. The site is within close proximity to the New England Highway (NEH) and investigations are required in relation to widening the existing underpass to enable safe vehicle and pedestrian movements to the site. As such, any future detailed precinct planning will need to consider the strategic locations for infrastructure upgrades, key intersections and will need to identify networks for vehicular movements, pedestrian routes, cycleways and public transport.

The Farley URA is located in a strategically significant area in the context of road networks and the proposed Southern bypass route within the Maitland LGA. Council has previously exhibited the *Maitland Integrated Land Use and Transport Study 2010* for public comment, which includes the proposed route of the Southern Bypass (see **Appendix 8**). Traffic and access investigations pertaining to the rezoning of the site need to incorporate consideration of the intended Southern bypass route and what impact rezoning the site is likely to have on the Southern bypass and integrated road network.

The MUSS 2010 (p. 87) identifies that further investigation is required regarding the suitability of, and potential upgrade to, the existing rail underpass within Wollombi Road, at the eastern extent of the site. In association with infrastructure upgrades to support the proposed Maitland to Minimbah Third Track project, ARTC have proposed a new rail underpass to the east of the existing rail underpass. This project is not likely to result in an improved safety outcome, since there will be two rail underpasses in close proximity to each other. The proponent will continue to be encouraged by Council to discuss future options with ARTC in order to ascertain what infrastructure upgrades can allow safe access for vehicles and pedestrians to the release area.

The traffic study submitted with the planning proposal identifies that without any upgrade to the intersection of Wollombi Road and the New England Highway existing roads and infrastructure a maximum lot yield of 50 lots could be accommodated within the site. Subject to appropriate traffic signals at this key intersection, and an assumption that the Hunter Expressway is operational, the report states that a lot yield of 750 lots could be accommodated within the site. The report states that an access strategy would be required in consultation with the RTA and Council for the New England Highway where development beyond 750 lots is proposed.

Council is satisfied that enough information exists that would allow the rezoning of the site on the grounds of traffic and access, with further investigations to occur in conjunction with precinct planning for the site. Council's traffic engineer has identified that a detailed traffic study will be required in association with precinct planning for the site, which will have the purpose of identifying suitable infrastructure and road upgrades, and traffic management facilities.

Flooding & Stormwater

An area in the eastern portion of the site is known to be inundated during the 1:100 year flood event, resulting from flood effects of the nearby Wentworth Swamp and overland flows generated from surrounding urban areas. This area of the site is to be zoned for rural purposes, to be consistent with the adjoining rural

zone. No urban development is proposed in this area of the site.

No further assessment of flooding and stormwater is considered necessary at the rezoning stage for this proposal. The topography of the land, combined with the presence of on-line dams and watercourses in the Farley Investigation Area means that the site is conducive to establishing appropriate methods of stormwater detention and implementing quality control measures. Further assessment of stormwater detention and quality control methods will be undertaken during the preparation of precinct plans and future Development Applications for subdivision within the site.

Geotechnical

The submitted geotechnical assessment states that salinity is a known issue to the east and south of the investigation area. The assessment notes that no areas within the site are identified as being affected by salinity. Given the presence of salinity to the north of the site, beyond the Main Northern Railway Line, future geotechnical investigations should include assessment of salinity when undertaking testing, in order to confirm the site is free of salinity.

The site has been subject to agricultural activities over time and may accommodate chemical residues from activities such as cattle drenching, and from fertilisers and herbicides. A preliminary geotechnical report was submitted with the rezoning application. The report recommends further site specific detailed investigations to confirm the absence/presence of contamination in specific areas of the site. Further detailed investigations will need to occur to determine the extent of any contamination in these specified locations, which can be undertaken as part of precinct planning for the site. It is likely that a Phase 2 contamination assessment will be required for some areas of the site, which can be submitted at the DA stage for future development, but only after identifying the specific areas in any future precinct plans that require further detailed investigation.

The land is not known to be affected by Acid Sulphate Soils (ASS), however, DECCW's mapping of ASS has not been completed for this part of the Maitland LGA. Further consideration of ASS should be undertaken during future geotechnical investigations associated with contamination, as part of the preparation of precinct plans for the site.

Water & Wastewater Servicing

The submitted water and wastewater servicing report states that there is not immediate capacity available in Hunter Water Corporation's (HWCs) water and sewer infrastructure to service the Farley Investigation Area. The report argues, however, that HWC's planned upgrades and augmentation to existing water and wastewater infrastructure will enable all essential services to be provided to the site. Furthermore, the report highlights that the rezoning of the subject site will advance the upgrade of the Farley Wastewater Treatment Works facility to accommodate a reticulated recycled water system to service the western sector of Maitland.

Prior to precinct planning for the site, completed water and wastewater servicing strategies will need to be furnished to Council. These strategies will need to have been reviewed and endorsed by HWC, so that Council can be certain of the staging of the release area.

It is anticipated that the Gateway determination issued by the Department of Planning & Infrastructure will require Council to consult with HWC regarding the rezoning of the Farley URA.

Visual Impact Assessment

The MUSS 2010 (p. 87) identifies visual impact as an important issue for the Farley Investigation Area, which is largely due to the topography of the site and its potential, once developed, to impact on surrounding

areas. One of the ways that Council has considered the visually sensitive locations within the site is by allocating particular zones to the Farley Investigation Area. Further detailed consideration will be given to visual impact during preparation of precinct plans for the site in the future.

Air Quality

The EA for the Maitland to Minimbah Third Track explained that air quality receptors are identified as areas within 500m of the rail corridor, with a focus maintained on those that exist within 100m of the rail corridor. The Farley URA is therefore a key sensitive receptor to be considered as part of this project, particularly land within the northern and eastern extents of the site. Given the potential for increased pollution within the URA as a result of rail operations associated with the Third Track project, an air quality assessment is likely to be required for land within the Farley URA as part of future precinct planning for the site.

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 Farley, 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 thereby accommodating the growing local and regional population;
- Identification of important EECs to be protected through appropriate environmental protection zoning;
- 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 Farley, as well as the potential for improved public transport outcomes and linkages between Farley and the Maitland CBD; and
- The upgrade and extension of infrastructure and services for residents of Farley and surrounding localities, including the potential to improve the existing road network and road infrastructure servicing the locality.

Aboriginal Archaeology

An Aboriginal archaeology assessment has been completed for the rezoning proposal. The investigation area required a complete detailed archaeological assessment to accurately determine whether the site contained cultural artefacts or sacred areas. Given the presence of drainage channels in the investigation area, as well as the proximity to the Wentworth Swamps, there was a likelihood that Aboriginal artefacts/significant areas may exist within the site. The report concluded that PADs will require management, as agreed by Mindaribba LALC in their correspondence with McCardle Cultural Heritage Pty Ltd. The proponent has provided correspondence from Mindaribba Local Aboriginal Land Council representatives regarding the proposal, which identifies that the rezoning can proceed subject to appropriate management of PADs discovered within the site.

European Heritage

A European heritage study was undertaken as part of the rezoning proposal. Curtilage mapping around known items such as Owl Pen House will be required to be undertaken as part of precinct planning for the site, in line with the recommendations made in the European Heritage report. The majority of the developable area of the site does not retain known items of heritage significance, therefore further

assessment of European heritage can occur in association with any future precinct plans for the URA.

Section D – STATE and COMMONWEALTH INTERESTS

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

The LHRs 2006 discusses the need for local Councils and the Department of Planning to undertake detailed planning to “...Coordinate the planning, servicing and development of new release areas.” (LHRs 2006 p. 25). The provision of public infrastructure is implicit with the development of urban release areas, where staging of infrastructure and services dictates the structure and long term development of such sites.

Council proposes to consult relevant public infrastructure authorities during the consultation period for this planning proposal. These authorities will include Hunter Water Corporation, Energy Australia and Telstra. The Farley Wastewater Treatment Works is located to the south of the Farley Investigation Area, therefore comments will also be sought regarding the future plans for expansion of this facility and how this could impact on the Farley Investigation Area. Given that the Farley Investigation Area is located in close proximity to the New England Highway, it is proposed that the NSW Roads and Traffic Authority will be consulted to determine the relevant state infrastructure contributions required as a result of the future development of the land. Further details regarding consultation with public infrastructure authorities are provided in section 12 of this planning proposal.

State Interests

Maitland to Minimbah Third Track Project

As outlined already in this planning proposal, the existing Main Northern Railway Line rail corridor adjoining the site to the north and east is proposed to be expanded following the Part 3A approval of the Maitland to Minimbah Third Track project. This project will impact significantly the Farley Investigation Area. Council forwarded a submission to the Department during the exhibition period for the project, which, among other issues, outlined the potential implications of the Third Track project on the Farley URA. A copy of the submission is included under **Appendix 5** of this report.

Further detailed assessment is required in relation to some of the matters raised in the submission, in conjunction with future precinct planning for the Farley URA. Particular consideration will need to be given to noise and vibration attenuation methods. Council was satisfied that areas likely to be affected by noise and vibration could be included in the planning proposal, given developer requirements under the Part 3A approval issued to ARTC, and future precinct planning both allowing for appropriate management of these issues.

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

Australian Rail & Track Corporation (ARTC)

The site is located directly adjoining the Main Northern Railway Line, with the complete northern boundary and part of the eastern boundary of the site straddling the rail corridor. A Part 3A approval has been issued for the Maitland to Minimbah Third Track project. Given the proximity to this rail infrastructure, and the potential for significant environmental impacts on future development within the Farley Investigation Area, ARTC are to be consulted as part of the rezoning process.

Roads and Traffic Authority (RTA)

The presence of the NEH within close proximity to the site, combined with the size of the investigation area and the potential lot yield, trigger the referral of the proposal to the RTA for comment. The traffic study submitted with the planning proposal identifies that without any upgrade to the intersection of Wollombi Road and the New England Highway existing roads and infrastructure a maximum lot yield of 50 lots could be accommodated within the site. Subject to appropriate traffic signals at this key intersection, and an assumption that the Hunter Expressway is operational, the report states that a lot yield of 750 lots could be accommodated within the site. The report states that an access strategy would be required in consultation with the RTA and Council for the New England Highway where development beyond 750 lots is proposed.

Referral to the RTA will provide an opportunity for comment regarding an access strategy for the site, and details of any state infrastructure contributions that are required as a result of the rezoning. The comments can then be used to assist with preparation of precinct planning for the site, namely in regards to determining road networks, traffic management upgrades, and confirming pedestrian/cycleway routes.

Department of Environment, Climate Change and Water (incorporating the NSW Office of Water)

Preliminary flora and fauna information has been submitted with the planning proposal. Council is satisfied that flora and fauna issues can be addressed through the implementation of an appropriate zone over existing remnant vegetation communities within the site. The cleared/disturbed nature of many areas within the site means that flora and fauna issues tend to be limited to these areas. The proposal is not deemed to introduce any significant impacts on any flora or fauna that currently exists within the site, given that appropriately sized areas of remnant vegetation are to be retained and protected through application of environmental zoning. Regardless, DECCW are to be consulted in regards to identifying their concerns involving potential loss of vegetation, and matters relating to watercourses that traverse the site, associated with the rezoning of the site for urban purposes. DECCW are also to be consulted based on the noise/vibration/air quality impacts of the Maitland to Minimbah Third Track project, given that DECCW administer legislation at the State level concerning acceptable levels of noise, vibration and air quality relating to rail corridors and residential development.

NSW Rural Fire Service (RFS)

The subject site retains significant areas of vegetation that are mapped as bushfire prone. Given the size of the investigation area, combined with the Category 1 vegetation that is present within the site, it is considered essential that the RFS are notified of the intention to rezone the land. Referral of the proposal to the RFS, and a subsequent response to Council, will satisfy section 117 ministerial direction 4.4 – *Planning for Bushfire Protection*.

NSW Department of Planning – Heritage Branch

The NSW Heritage Branch will be consulted since there are heritage items of local and regional significance that exist within the site. Owl Pen House is an item of local significance, while the Main Northern Rail Line is an item of regional significance. Comments will be sought from the Heritage Branch to ascertain what is considered appropriate in regards to managing the interface between future urban development and these heritage items – which are listed under Schedule 2 of the MLEP 1993. These comments will be used to assist in precinct planning for the site, where the extent of development controls for protecting heritage items will be determined.

Hunter-Central Rivers Catchment Management Authority (CMA)

The southern portion of the site adjoins the Wentworth Swamp. The CMA have previously been consulted as part of the MUSS 2008 review which included the Farley Investigation Area. The CMA stated that there should be no loss of native vegetation as a result of rezoning the investigation area. The prevention of local flooding was also an issue raised in correspondence received from the CMA. While it is unlikely that the future development of the site would contribute to any significant impacts on local flooding, detailed

stormwater and flooding investigations have not been included with the rezoning proposal. Therefore, the likelihood of any additional local flooding impacts resulting from the rezoning of the site to urban purposes cannot be determined at this point in time.

Department of Industry & Investment (Primary Industries)

DPI have previously been consulted in relation to the categorisation of this site under the MUSS 2008. DPI stated that the future rezoning of the Farley Investigation Area should not alienate flood prone rural lands within Wentworth Swamps from adjoining land that is situated above the flood prone portion of the site. This is largely related to providing suitable areas for stock refuge during flood events, in order to prevent loss of livestock.

Hunter Water Corporation (HWC)

The MUSS 2010 highlights the importance of investigating the level of augmentation of services required for the Farley investigation area. HWC are to be consulted given that the site will require connection to reticulated water and sewer services, with significant upgrades required to service the anticipated lot yield at the site. Furthermore, the Farley WWTW is located to the south of the site and Council would like to confirm the likely impacts from any proposed expansion of that facility on the Farley URA. Preliminary information submitted with the rezoning proposal identifies that capacity exists for upgrades to reticulated infrastructure in the locality.

Energy Australia

The rezoning proposal shall be forwarded to Energy Australia for comment, in order to ensure that existing electricity infrastructure and services in the locality can be extended to the subject site.

Telstra

The rezoning proposal will be forwarded to Telstra in order to confirm that it is possible to provide telecommunications services to the site.

AGL

Given the size of the site and the likelihood of demand for domestic gas services, AGL are to be consulted to determine whether the site can be serviced by gas. While not being essential infrastructure, this may assist Council with preparing precinct plans for the site, as well as future development staging within the site.

Mindaribba Local Aboriginal Land Council

Mindaribba LALC are to be consulted in regards to identifying any impacts that could result from rezoning land for urban purposes. Natural features within the site (i.e. Wentworth Swamp, low lying areas, watercourses, hills) suggests that artefacts or places of significance could exist within the site. It should be noted that the Mindaribba LALC have been consulted as part of the submitted Aboriginal heritage assessment undertaken by the proponent.

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 being undertaken by the local authority. Given that the site is a 'Proposed Urban Area' identified in the LHRs 2006 (p. 12-13), a Category 1 investigation area under the MUSS 2010 (p. 13), and that the Maitland to Minimbah Third Track project is proposed adjoining the site, Council deems that the planning proposal is not of low impact. The planning proposal should therefore be exhibited for a minimum of 28 days.

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

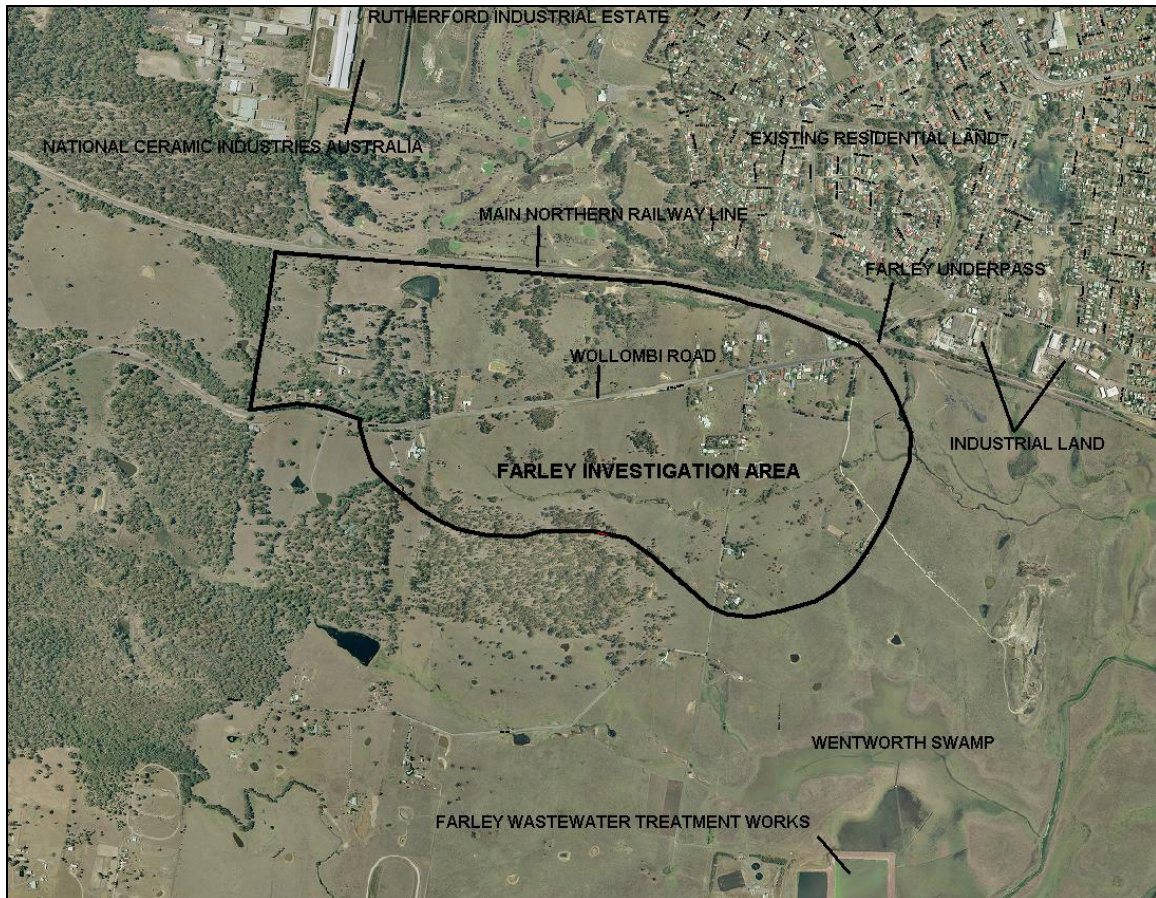
- Notice in the local newspaper;
- Exhibition material and relevant consultation documents to be made available at the Rutherford Library and Council's Administration Building;
- Consultation documents to be made available on Council's website; and
- Letters, advising of the proposed rezoning and how 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 proceeding to finalisation of the amendment.

The consultation process, as outlined 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 LEP Mapping

DRAFT Amendment No: 001

Site Identification Map
Part of map titles:
5050_COM_LSZ_004A_020_20110401
5050_COM_LZN_004A_020_20110401
5050_COM_URA_004A_020_20110401
5050_COM_LSZ_004B_020_20110401
5050_COM_LZN_004B_020_20110401
5050_COM_URA_004B_020_20110401

- Legend
- 

Subject Land

Proposed LSZ - 450m2 & 40Ha

Proposed LZN - R1 & E3

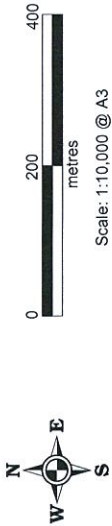
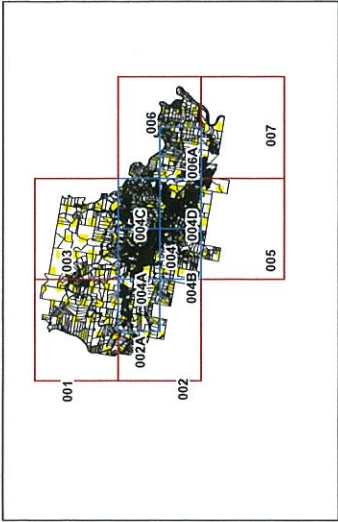
Proposed URA - Addition

Cadastral

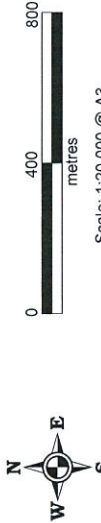
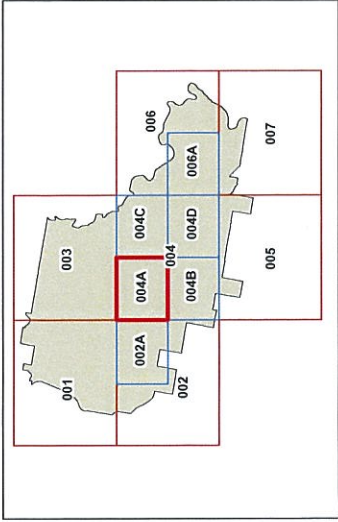


Base data 03/03/1997 © NSW LPMA

Addendum data 01/04/2011 © Maitland City Council



- Zone**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B5 Business Development
 - B6 Enterprise Corridor
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - R1 General Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU1 Primary Production
 - RU2 Rural Landscape
 - SP1 Special Activities
 - SP2 Infrastructure
 - SP3 Tourist
- Cadastre**
- Base data 03/03/1997 © NSW LPMA
 - Addendum data 19/07/2011 © Maitland City Council



Projection: GDA 1994

Zone 56

Map identification number:

5050_COM_LZN_004A_020_20110719

- Zone
- B1

Neighbourhood Centre
- B2

Local Centre
- B3

Commercial Core
- B4

Mixed Use
- B5

Business Development
- B6

Enterprise Corridor
- E2

Environmental Conservation
- E3

Environmental Management
- E4

Environmental Living
- IN1

General Industrial
- R1

General Residential
- R5

Large Lot Residential
- RE1

Public Recreation
- RE2

Private Recreation
- RU1

Primary Production
- RU2

Rural Landscape
- SP1

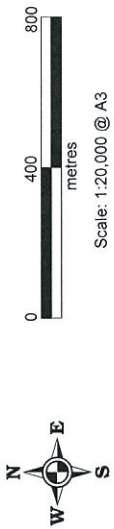
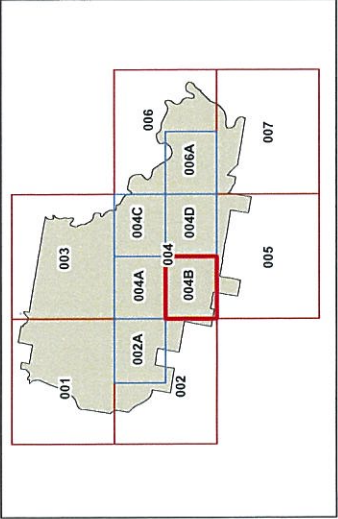
Special Activities
- SP2

Infrastructure
- SP3

Tourist

Cadastre

Base data 03/03/1997 © NSW LPM
Addendum data 01/04/2011 © Maitland City Council



Projection: GDA 1984
Zone 56

Map identification number:

5650_COM_LZN_004B_020_20110401



Maitland Local Environmental Plan 2011

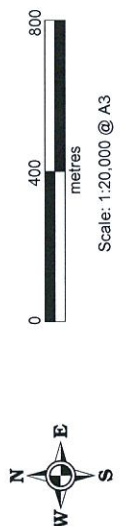
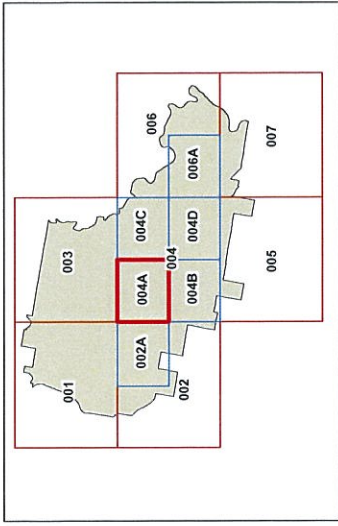
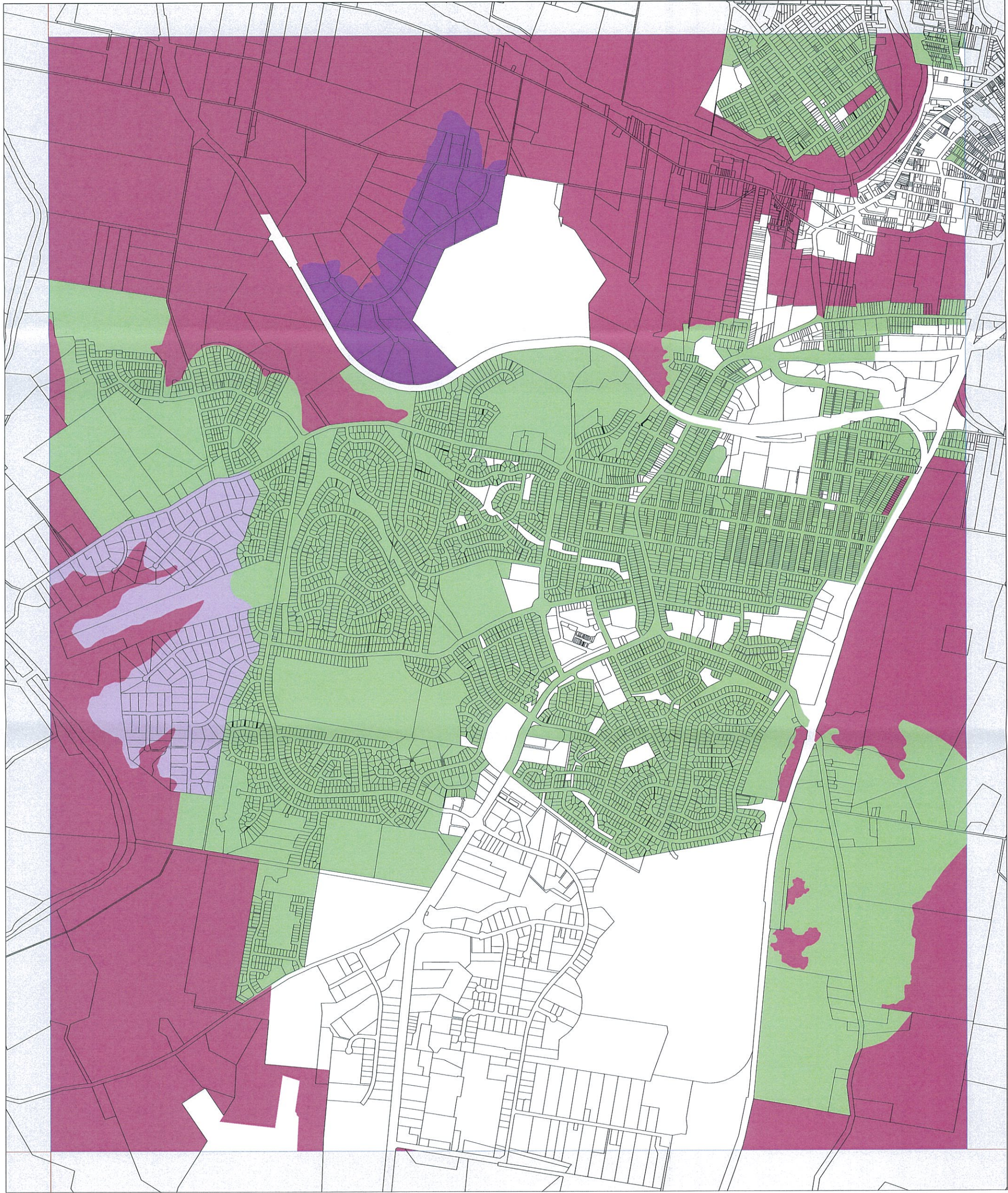
DRAFT Lot Size Map - Sheet LSZ_004A

Minimum Lot Size (sq m)

- G 450
- V 2000
- X 5000
- Y 10000
- Z 20000
- AB 400000

Cadastral

Base data 03/03/1997 © NSW LPMA
Addendum data 01/04/2011 © Maitland City Council



Projection: GDA 1994
Zone 56

Map identification number:

5050_COM_LSZ_004A_020_20110401



**Maitland
Local Environmental
Plan 2011**

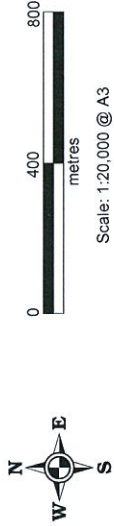
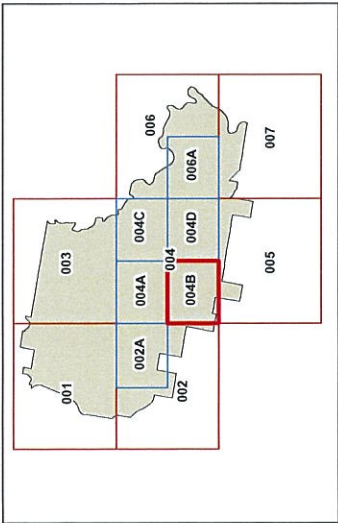
**DRAFT Lot Size Map -
Sheet LSZ_004B**

Minimum Lot Size (sq m)

- G 450
- V 2000
- X 5000
- Y 10000
- Z 20000
- AB 400000

Cadastral

Base data 03/03/1997 © NSW LPMA
Addendum data 01/04/2011 © Maitland City Council



Projection: GDA 1994
Zone 56

Map identification number:

5050_COM_ASS_004B_020_20110401





**Maitland
Local Environmental
Plan 2011**

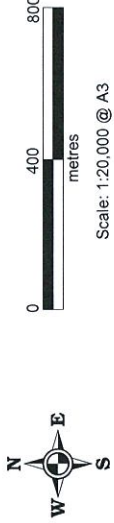
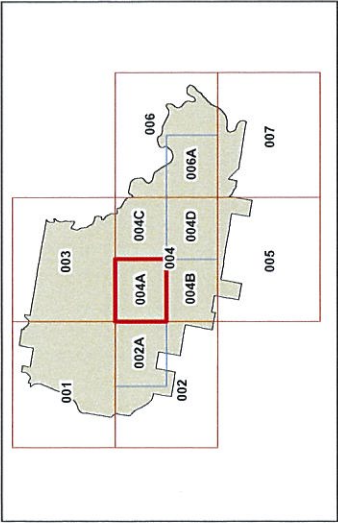
**DRAFT Urban Release Area Map -
Sheet URA_004A**

Urban Release Areas

Urban Release Area

Cadastral

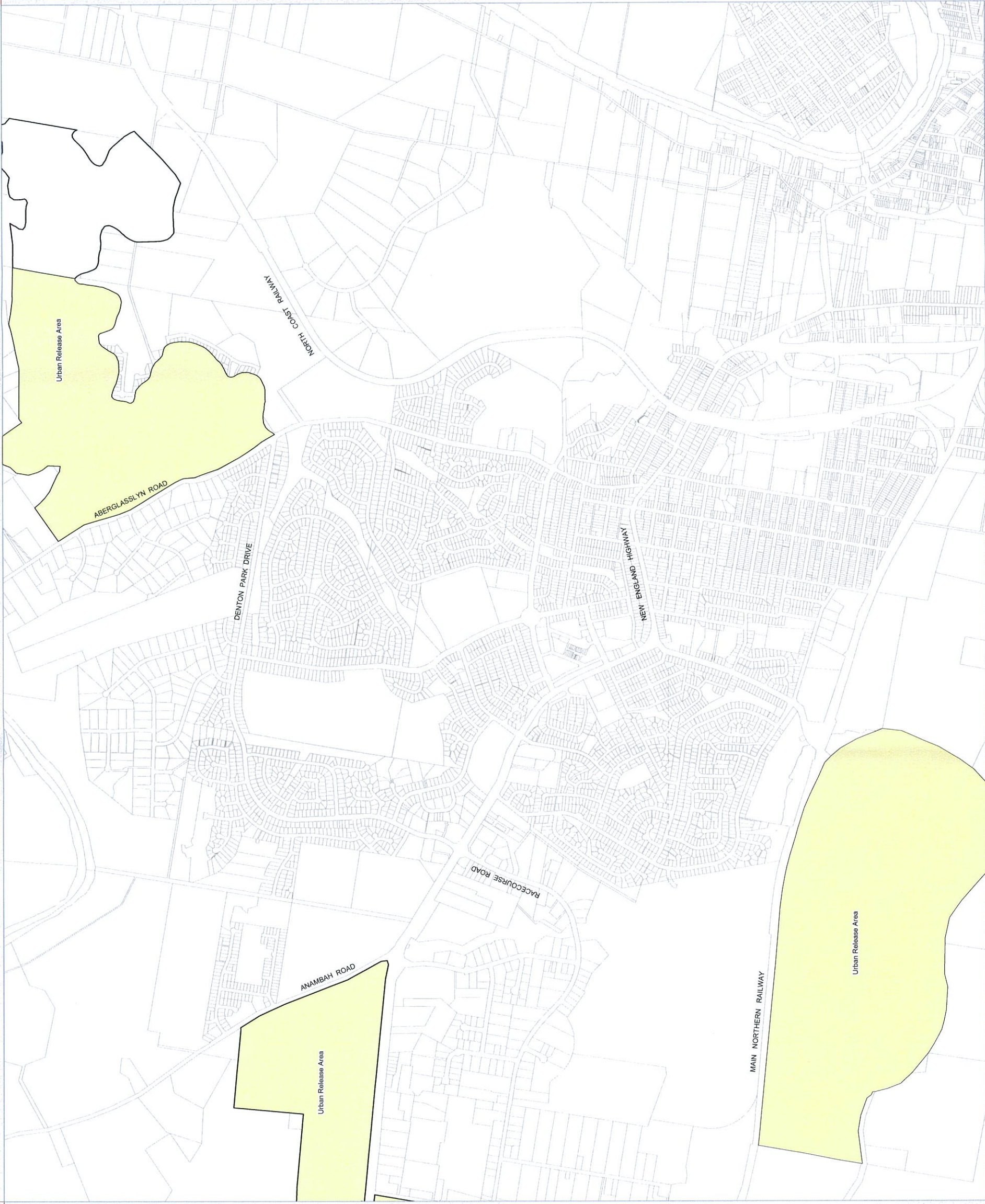
Base data 03/03/1997 © NSW LPMA
Addendum data 01/04/2011 © Maitland City Council



Projection: GDA 1984
Zone 56

Map identification number:

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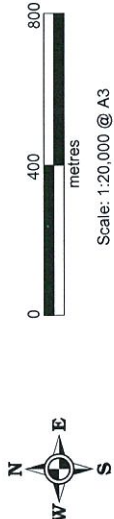
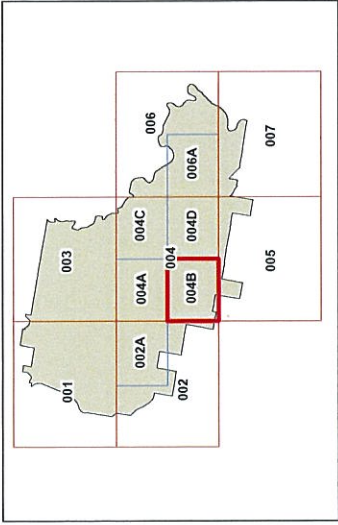


Urban Release Areas

 Urban Release Area

Cadastre

 Base data 03/03/1997 © NSW LPMA
 Addendum data 19/07/2011 © Maitland City Council

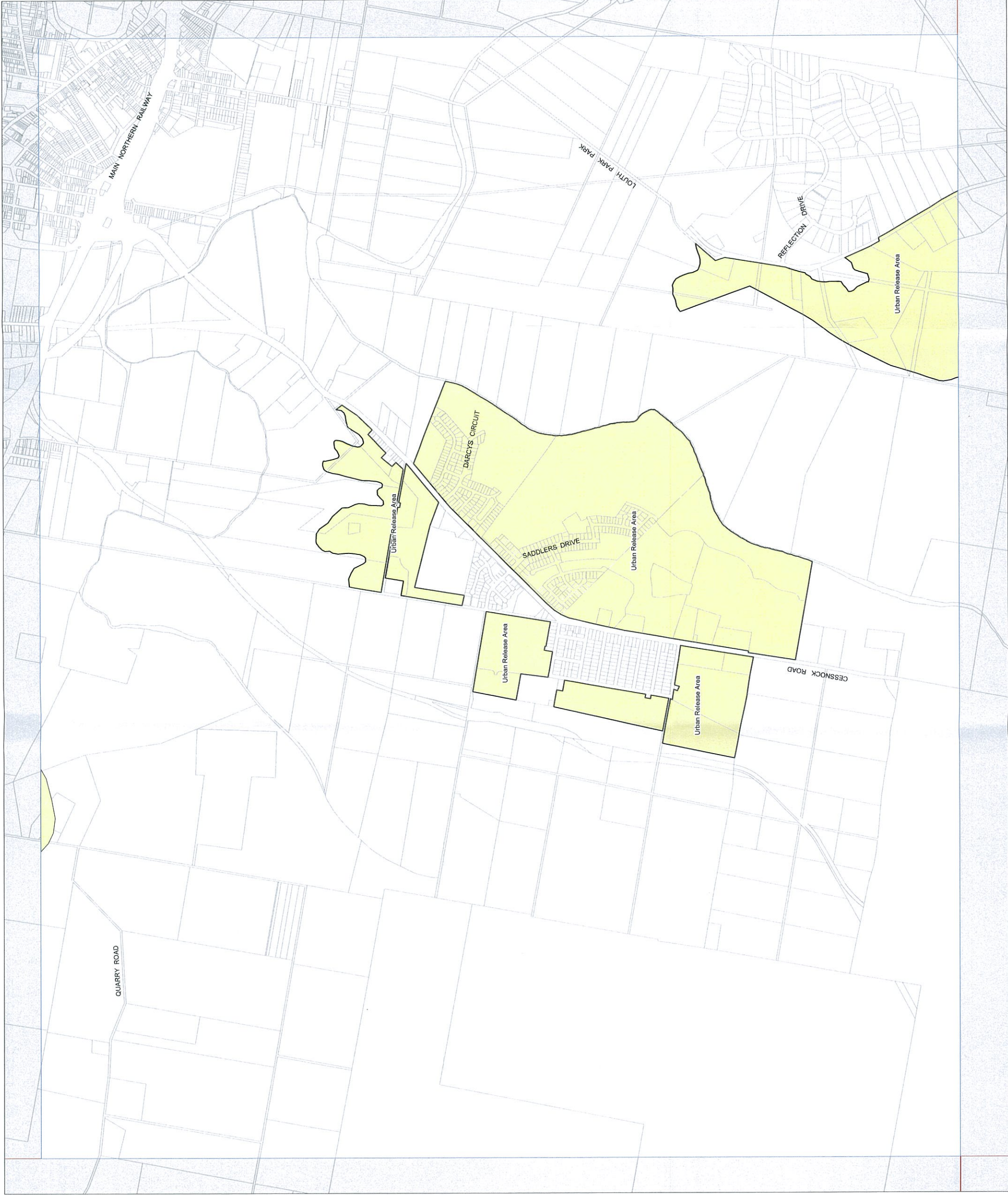


Projection: GDA 1984

Zone 56

Map identification number:

5050_COM_URA_004B_020_20110719



Appendix THREE
Council Reports and Resolutions
[27 July 2010 & 10 November 2009]

**10.10 AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN -
REZONING OF FARLEY INVESTIGATION AREA**

File No: RZ09005
Attachments: 1. Planning Proposal
2. Locality Plan
Responsible Officer: Leanne Harris - Group Manager Service Planning and Regulation
Monica Gibson - Manager City Strategy
Author: Josh Ford - Strategic Town Planner

EXECUTIVE SUMMARY

A draft local environmental plan has been prepared for the Farley Investigation Area in accordance with Council's resolution on 10 November 2009, directions from the Department of Planning and the statutory requirements for government agency consultation. The site is identified as a 'Proposed Urban Area' under the Lower Hunter Regional Strategy 2006. The purpose of this report is to propose that the Planning Proposal be submitted to the Department of Planning for a Gateway determination.

The Planning Proposal is supported by preliminary environmental studies. Further detailed investigations will be required to support the assessment of the draft local environmental plan and consider matters such as biodiversity significance, infrastructure provision and air quality impacts from existing and future activities.

The recent exhibition of the Maitland to Minimbah Third Track project has highlighted uncertainties regarding noise, vibration and air quality impacts on land within the northern part of the site adjoining the rail corridor, meaning that further investigation of these impacts will be required to demonstrate the extent of constraints from the project.

OFFICER'S RECOMMENDATION**THAT**

1. The draft local environmental plan for the Farley Investigation Area as detailed in the attached planning proposal be endorsed.
2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the Planning Proposal be submitted to the Department of Planning for a Gateway Determination, noting that further detailed investigations and consultation is required.
3. A further report be presented to Council following the Gateway determination to provide details of community consultation and environmental assessment requirements.

NOTE

Item Withdrawn – See Item 7.2

**10.10 AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN -
REZONING OF FARLEY INVESTIGATION AREA**

File No: RZ09005
Attachments: 1. Planning Proposal
2. Locality Plan
Responsible Officer: Leanne Harris - Group Manager Service Planning and Regulation
Monica Gibson - Manager City Strategy
Author: Josh Ford - Strategic Town Planner

EXECUTIVE SUMMARY

A draft local environmental plan has been prepared for the Farley Investigation Area in accordance with Council's resolution on 10 November 2009, directions from the Department of Planning and the statutory requirements for government agency consultation. The site is identified as a 'Proposed Urban Area' under the Lower Hunter Regional Strategy 2006. The purpose of this report is to propose that the Planning Proposal be submitted to the Department of Planning for a Gateway determination.

The Planning Proposal is supported by preliminary environmental studies. Further detailed investigations will be required to support the assessment of the draft local environmental plan and consider matters such as biodiversity significance, infrastructure provision and air quality impacts from existing and future activities.

The recent exhibition of the Maitland to Minimbah Third Track project has highlighted uncertainties regarding noise, vibration and air quality impacts on land within the northern part of the site adjoining the rail corridor, meaning that further investigation of these impacts will be required to demonstrate the extent of constraints from the project.

OFFICER'S RECOMMENDATION**THAT**

- 1. The draft local environmental plan for the Farley Investigation Area as detailed in the attached planning proposal be endorsed.**
- 2. Pursuant to Section 55 of the Environmental Planning and Assessment Act 1979, the Planning Proposal be submitted to the Department of Planning for a Gateway Determination, noting that further detailed investigations and consultation is required.**
- 3. A further report be presented to Council following the Gateway determination to provide details of community consultation and environmental assessment requirements.**

AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION AREA (Cont.)**BACKGROUND**

On 10 November 2009, Council resolved to progress the Farley Investigation Area from a Category 2 to a Category 1 status under the MUSS 2008. The same resolution noted that the gazettal of the rezoning cannot occur until post-gazettal of the Maitland Local Environmental Plan 2011. A rezoning application was subsequently submitted for the site in November 2009.

The purpose of this report is to provide a preliminary assessment of the rezoning proposal and recommends that the Planning Proposal be submitted to the Department of Planning. A copy of the Planning Proposal is included as **Attachment 1**. A locality plan detailing the location and extent of the site is included as **Attachment 2**.

POLICY CONTEXT

The LHRS 2006 (p.27) identifies that between 2006 and 2031 the Maitland LGA is projected to accommodate an additional 21,500 dwellings. It is anticipated that the majority of dwellings will be contained within new urban release areas. The Farley Investigation Area is approximately 140 hectares in size, which is significant in terms of releasing land to meet the dwelling projections outlined under the LHRS 2006.

Prior to the site being identified in Council's MUSS, the site was listed in the Lower Hunter Regional Strategy 2006 as a 'Proposed Urban Area' (LHRS 2006 p. 12-13). The Farley Investigation Area is identified in Council's land release program, which outlines a program for rezoning of land identified in the MUSS. The site is listed as a Category 1 investigation area under the MUSS 2008, which indicates a 0-5 year development timeframe.

The Activity Centres and Employment Clusters Strategy 2010 (ACECS 2010) identifies that potential population growth in Farley is likely to provide an opportunity for a neighbourhood centre to develop within the Farley Investigation Area, subject to further economic analysis and justification to determine the need for a centre.

The Maitland Greening Plan identifies an "opportunity corridor" for wildlife within the Farley investigation area which extends for some distance north and south of the western portion of the site (MGP 2002:53). The purpose of this opportunity corridor is to identify land for priority revegetation (to be undertaken on a voluntary basis), which would ideally lead to suitable habitat for wildlife to traverse other connecting corridors within the Maitland LGA.

Council has recently exhibited the *Maitland Integrated Land Use and Transport Study* for public comment, which includes the proposed route of the Southern Bypass (see **Attachment 1**). The Farley Investigation Area is located in a strategically significant area in the context of road networks and the proposed Southern bypass route within the Maitland LGA.

REZONING PROPOSAL

The rezoning application applies to the whole Farley Investigation Area, as identified in **Attachment 2** - Locality Plan. A number of natural characteristics affect the site, including flooding and stormwater, flora and fauna, bushfire and topography. Other

AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION AREA (Cont.)

matters such as traffic, noise and vibration, and infrastructure have been identified as constraints for future urban development of the site.

Environmental studies were submitted with the rezoning proposal. The studies are of a preliminary nature but contain sufficient detail to prepare a preliminary Planning Proposal. The applicant has requested that Council forward a Planning Proposal to the Department of Planning, with the intention of the Department issuing a Gateway determination that would give further certainty to the rezoning of the Investigation Area. The Gateway determination would also outline the additional studies required (including the level of detail) and the requirements for community and government agency consultation.

A Planning Proposal has been prepared with reference to the preliminary environmental studies, Council's geographic information resources and relevant statutory requirements. The Planning Proposal is included as **Attachment 1** to this report.

Some of the matters that affect the site and require further investigation include:

- Biodiversity impact, including potential for significant impacts on endangered ecological communities and the establishment of local corridors
- Bushfire hazard assessment and the relationship with biodiversity significance
- Noise and vibration impacts likely from the existing rail and road corridors as well as future potential impacts from the Maitland to Minimbah Third Track proposal and traffic volumes
- Demand for additional infrastructure, particularly impacts on the local and regional road network and pedestrian/cyclist facilities at the Farley rail underpass, as well as water, sewer and recycled water servicing
- Extent of flooding and stormwater impacts
- Geotechnical investigations, including assessment of potential for contamination, acid sulphate soils and salinity
- Visual impact of future development and relationship with existing rural areas of Farley and Bishops Bridge
- Air quality impacts from nearby activities and land uses
- Cultural and European heritage assessment
- Economic assessment for proposed neighbourhood centre

Third Rail Track Proposal

ARTC's recent proposal to expand the Main Northern Rail Line corridor for the purposes of a third railway track has the potential to have significant impact on the Farley Investigation Area with respect to noise, vibration and air quality impacts in the northern area of the site. The northern area of the site, within 500m of the rail corridor, has been identified in the attached planning proposal as an *"Area of Affection – Further Investigation Required"*, due to a number of environmental factors associated with the proposed Maitland to Minimbah Third Railway Track project.

It is proposed that detailed environmental studies be undertaken with a particular focus on acoustic, vibration and air quality studies for land identified as *"Area of*

AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION AREA (Cont.)

Affectation – Further Investigation Required” on the proposed zoning map (see **Attachment 1**).

A submission was made by Council to the exhibition of the environmental assessment for the Third Rail Track proposal to indicate the potential impact on future urban areas at Farley and Lochinvar, as well as existing urban areas at Rutherford and Telarah.

DRAFT LOCAL ENVIRONMENTAL PLAN

A draft local environmental plan has been prepared to reflect the recommendations of the preliminary environmental studies that were submitted to support the proposal.

The draft plan aims to rezone land within the Farley Investigation Area to urban purposes, pending further environmental studies, as shown in the planning proposal which is included as **Attachment 1**. Urban purposes may include residential, business, recreational and environmental zones.

Consideration has been given to local planning directions issued by the Minister for Planning (under Section 117 of the Environmental Planning & Assessment Act 1979) as they apply to the draft plan, and while there are no known unjustified inconsistencies with these guidelines, only detailed environmental studies can confirm this.

GATEWAY PLANNING PROCESS

If Council resolves to forward the planning proposal to the Department of Planning seeking a Gateway determination, the next step is for the Department of Planning to issue a Gateway determination which will outline the requirements for community consultation, such as the length of exhibition period, any requirements for additional government agency consultation or requirements for additional information. These matters will be reported to Council as part of a future Council report.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

This matter has no specific policy implications for Council as the proposal is consistent with the Lower Hunter Regional Strategy 2006 and the Maitland Urban Settlement Strategy 2008.

STATUTORY IMPLICATIONS

The procedures for the preparation of a local environment plan under Part 3 of the Environmental Planning and Assessment Act 1979 have been adhered to.

There are no statutory implications under the Local Government Act 1993 with this matter.

AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION AREA (Cont.)**CONCLUSION**

The rezoning of the subject land will assist in meeting the Department of Planning's targets for residential dwelling projections by 2031, as outlined under the LHRS 2006. The site is identified in the Lower Hunter Regional Strategy 2006 as a 'Proposed Urban Area', and Council has previously resolved to progress the site to Category 1 status under the MUSS 2008. However, a Gateway determination is required to detail the level of additional information required to support the rezoning, which will assist in identifying the opportunities and constraints for the site, and will assist to inform Council's decisions regarding future zoning of the site. The proposal aims to rezone land to urban purposes, pending environmental studies to determine the impacts from the Maitland to Minimbah Third Track project. The Maitland to Minimbah Third Railway Track project was recently exhibited and is currently with the Department of Planning pending a determination. The proposal to rezone the site to urban purposes is consistent with Council's adopted urban land use strategy.

AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION
AREA (Cont.)

Service Planning and Regulation Reports

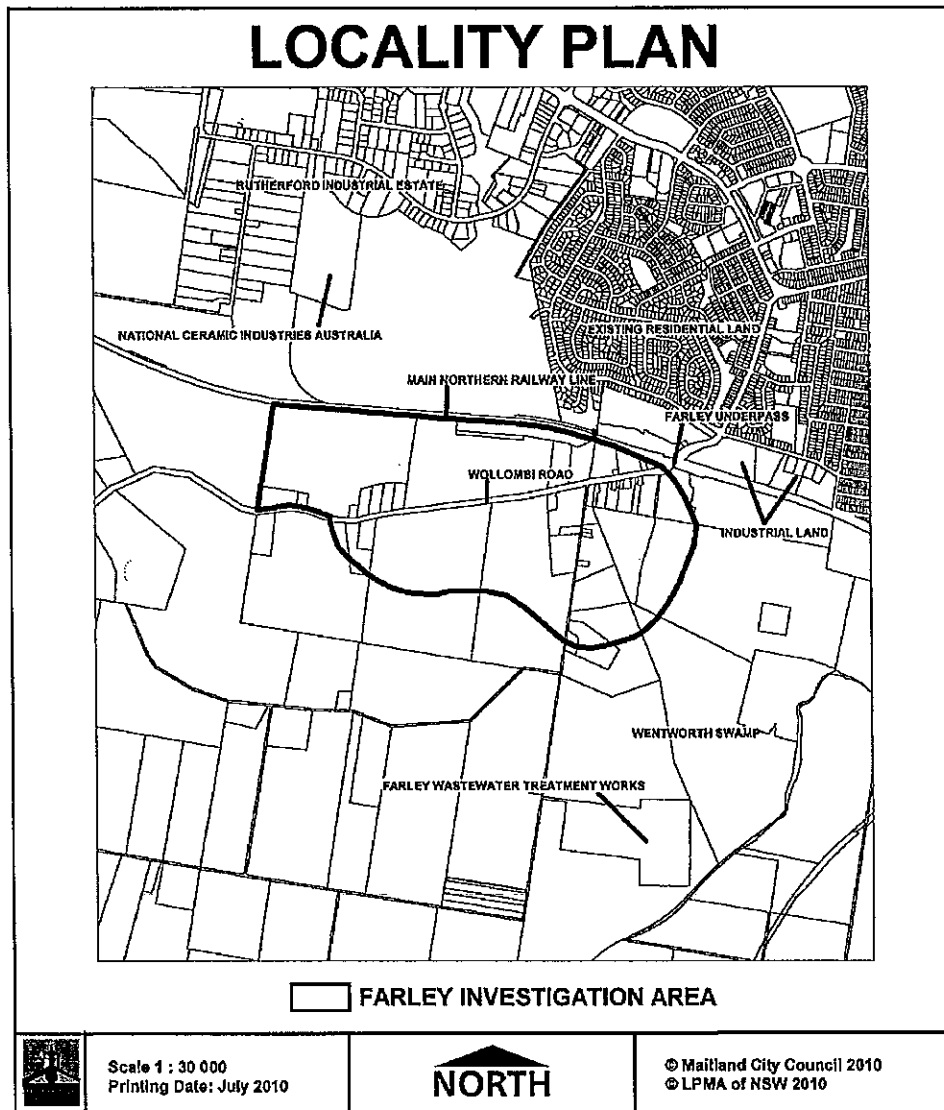
AMENDMENT TO MAITLAND LOCAL ENVIRONMENTAL PLAN - REZONING OF FARLEY INVESTIGATION AREA

Locality Plan

Meeting Date: 27 July 2010

Attachment No: 2

Number of Pages: 1



10.3 MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

File No: 103/77/4

Attachments:

1. Locality Map
2. Executive Summary - Background Studies
3. Preliminary Advice from Government Departments/Agencies
4. Land Release Program

Responsible Officer: Leanne Harris - Group Manager Service Planning and Regulation
Monica Gibson - Manager City Strategy

Author: April McCabe - Strategic Project Planner

Previous Items: 15.2 - 2008 MAITLAND URBAN SETTLEMENT STRATEGY - Ordinary Council - 24 March 2009
10.12 - DEPARTMENT OF PLANNING ENDORSEMENT OF MAITLAND URBAN SETTLEMENT STRATEGY 2008 - Ordinary Council - 22 September 2009

EXECUTIVE SUMMARY

At its meeting on 24 March 2009, Council adopted the 2008 edition of the Maitland Urban Settlement Strategy, and added an additional recommendation requesting that landowners in the Farley Investigation Area (IA):

- complete necessary background studies to enable further consideration by the Council; and*
- that within two (2) months of receipt, a detailed assessment of the background reports be presented to the Council to establish the fundamental principles to guide the future development of the area, such also to include the recommended timing of the rezoning of the area in accordance with the Council's Release Program*

In response to this resolution, Council sought preliminary advice from relevant government departments, agencies and infrastructure providers. A letter was also sent to landowners informing them of Council's resolution and requesting that any background studies prepared take account of the entire Farley IA and not just the individual landholdings.

Background studies relating to the Farley IA were received by Council on 18 September 2009 and Council officers have made a detailed assessment of the information and conclusions contained in the reports. This report provides a summary of that assessment as outlined in Council's 24 March 2009 resolution.

The assessment was carried out with consideration of the key principles and policy framework of the Settlement Strategy. In general, the background studies recommend that more detailed study must be undertaken in order to present definite conclusions to the issues previously raised by Council.

On the basis of the work done to date this report is recommending that the Farley Investigation Area be amended to Category 1 in the MUSS (2008).

However, in the context of the preparation of the Maitland LEP 2011, the report also recommends that the rezoning of land at Farley would not occur till after completion of 2011 LEP. This timing allows for the appropriate investigations and studies to be completed and the preparation of a detailed planning proposal of the investigation area prior to the drafting of an LEP amendment.

OFFICER'S RECOMMENDATION

THAT

1. **The Farley Investigation Area be classified to Category 1 in the Maitland Urban Settlement Strategy and the document be amended accordingly;**
2. **In line with Council's adopted land release program, the rezoning of the Farley IA is maintained till after the preparation of Maitland LEP 2011; and**
3. **Council send notification to Department of Planning regarding this report for the amendment to Farley to be endorsed.**

Clr Blackmore declared a non-pecuniary non-significant interest in this item. Clr Blackmore received a floral arrangement and book while he was in hospital in February 2009 from Mr Matt Sommers, a property owner in Farley.

COUNCIL RESOLUTION

THAT

1. **The Farley Investigation Area be classified to Category 1 in the Maitland Urban Settlement Strategy and the document be amended accordingly;**
2. **In line with Council's adopted land release program, the gazettal of the Farley Investigation Area is maintained till after the preparation of Maitland LEP 2011; and**
3. **Council send notification to Department of Planning regarding this report for the amendment to Farley to be endorsed.**

Moved Clr Garnham, Seconded Clr Humphery

CARRIED

The Mayor in accordance with Section 375A of the Local Government Act 1993 called for a division.

The division resulted in 13 for and 0 against, as follows:

For:	Clr Baker	Against:
	Clr Blackmore	
	Clr Casey	

Clr Fairweather
Clr Garnham
Clr Geoghegan
Clr Humphery
Clr Meskauskas
Clr Mudd
Clr Penfold
Clr Procter
Clr Tierney
Clr Wethered

10.3 MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

File No: 103/77/4

Attachments:

1. Locality Map
2. Executive Summary - Background Studies
3. Preliminary Advice from Government Departments/Agencies
4. Land Release Program

Responsible Officer: Leanne Harris - Group Manager Service Planning and Regulation
Monica Gibson - Manager City Strategy

Author: April McCabe - Strategic Project Planner

Previous Items: 15.2 - 2008 MAITLAND URBAN SETTLEMENT STRATEGY - Ordinary Council - 24 March 2009
10.12 - DEPARTMENT OF PLANNING ENDORSEMENT OF MAITLAND URBAN SETTLEMENT STRATEGY 2008 - Ordinary Council - 22 September 2009

EXECUTIVE SUMMARY

At its meeting on 24 March 2009, Council adopted the 2008 edition of the Maitland Urban Settlement Strategy, and added an additional recommendation requesting that landowners in the Farley Investigation Area (IA):

- complete necessary background studies to enable further consideration by the Council; and*
- that within two (2) months of receipt, a detailed assessment of the background reports be presented to the Council to establish the fundamental principles to guide the future development of the area, such also to include the recommended timing of the rezoning of the area in accordance with the Council's Release Program*

In response to this resolution, Council sought preliminary advice from relevant government departments, agencies and infrastructure providers. A letter was also sent to landowners informing them of Council's resolution and requesting that any background studies prepared take account of the entire Farley IA and not just the individual landholdings.

Background studies relating to the Farley IA were received by Council on 18 September 2009 and Council officers have made a detailed assessment of the information and conclusions contained in the reports. This report provides a summary of that assessment as outlined in Council's 24 March 2009 resolution.

The assessment was carried out with consideration of the key principles and policy framework of the Settlement Strategy. In general, the background studies recommend that more detailed study must be undertaken in order to present definite conclusions to the issues previously raised by Council.

On the basis of the work done to date this report is recommending that the Farley

Investigation Area be amended to Category 1 in the MUSS (2008).

However, in the context of the preparation of the Maitland LEP 2011, the report also recommends that the rezoning of land at Farley would not occur till after completion of 2011 LEP. This timing allows for the appropriate investigations and studies to be completed and the preparation of a detailed planning proposal of the investigation area prior to the drafting of an LEP amendment.

OFFICER'S RECOMMENDATION

THAT

1. The Farley Investigation Area be classified to Category 1 in the Maitland Urban Settlement Strategy and the document be amended accordingly;
2. In line with Council's adopted land release program, the rezoning of the Farley IA is maintained till after the preparation of Maitland LEP 2011; and
3. Council send notification to Department of Planning regarding this report for the amendment to Farley to be endorsed.

REPORT

The purpose of this report is to

- As per Council's resolution of 24 March 2009, provide an assessment of the background reports which the landowners within the Farley Investigation Area have presented to Council; and
- Outline the appropriate timing, implications and way forward to progress the Farley IA in the context of Council's adopted Land Release Program and the preparation of the Maitland LEP 2011.

Background

The Farley Investigation Area has been included in Council's adopted MUSS 2008 and land release program as a Category 2 investigation area. In the context of the preparation of Council's Maitland LEP 2011 this classification indicates that the sequencing and rezoning of land release for Farley would be after 2011.

The area at Farley has been included in the MUSS for several years, originally being incorporated following investigations into the Maitland Rural Strategy. The classification of the Farley Investigation Area as Category 2 was recommended for the following reasons:

- It was highlighted at the time that Council and the community would need to establish fundamental principles for development prior to any more detailed planning. These principles included long-term goals for vegetation conservation, management of historic relics, infrastructure planning, visual impact and flood risk assessment;
- Further land use and infrastructure planning was required prior to progressing to the preparation of a local environmental plan;

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

- Premature rezoning of the land could result in inefficient and expensive infrastructure servicing and limited opportunities to consider transport and access matters affecting the area; and
- That there was no imperative for this land to be brought forward for land supply or infrastructure sequencing purposes.

At the time of reporting (March 2009), the above matters had not been resolved and it was therefore recommended that Farley remain as a Category 2 Investigation Area (with the addition of certain land north of Wollombi Road), and that this matter be included in the land release program for consideration after the Maitland LEP 2011.

The 2008 review of the MUSS was placed on public exhibition from Monday 28 July 2008 to Friday 29 August 2008. A number of submissions were received from residents in Farley which did not support additional development at Farley. Issues that were identified in these submissions included, the environmental impact on flora and fauna, in particular the impact on Wentworth Swamp, impacts of increased traffic, adequate provision of infrastructure, flooding and the impact further development would have on the existing character of Farley.

Additional studies for the Farley Investigation Area

At its meeting on 24 March 2009, Council adopted the 2008 edition of the Maitland Urban Settlement Strategy. Specific to the Farley Investigation Area, the Council added to the officer's recommendation to include the following:

In relation to the Farley Investigation Area:

- Landowners be requested to complete necessary background studies (as detailed on Pg 19 of the Council Agenda 10/3/09) to enable further consideration by the Council;*
- Within two (2) months of receipt, a detailed assessment of the background reports be presented to the Council to establish the fundamental principles to guide the future development of the area, such also to include the recommended timing of the rezoning of the area in accordance with the Council's Release Program ; and*
- The Department of Planning be advised accordingly of (a) & (b) above.*

In response to this resolution, Council officers sought preliminary advice from relevant government departments, agencies and infrastructure providers. The advice received is included as Attachment 3 to this report. All 43 landowners in the Farley Investigation Area were sent a letter (dated 31 March 2009) informing them of Council's resolution and requesting that any background studies prepared take account of the entire Farley Investigation Area, as defined in the Maitland Urban Settlement Strategy 2008 and not just the individual landholdings.

It was also advised within that letter that it would be appropriate for landowners to work collectively to prepare these studies and prior to commencing any of the studies landowners or their representatives could meet with Council officers to discuss the particular issues that would need to be investigated for council to provide an assessment.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

Council officers met with two individual landowners and also the representatives of another landowner within the Farley Investigation Area. As a result of Council's resolution and subsequent meetings with landowner representatives, background studies were received by Council on 18 September 2009.

The background studies received have been prepared specifically for one landowner in the Farley IA. There is no indication within the report to suggest that a coordinated approach to involve all landowners was conducted. It is still unclear as to whether there is support for the progression of the Farley Investigation Area by the majority of landowners in the investigation area.

In the context of this process, Council did receive a request for the inclusion of additional land within the Farley Investigation Area. In response, Council advised that the purpose of the background studies as per Council's resolution was not to identify the boundaries or to recommend additional land. Furthermore, consideration of the boundaries for the Farley Investigation Area was undertaken as a part of the 2008 MUSS review process and outside of the biennial review, there is no mechanism for Council to make this type of amendment to investigation areas.

Assessment of Background Studies

Background studies relating to the Farley Investigation Area were received by Council on 18 September 2009. As outlined in Council's resolution and in the letter sent to landowners, the purpose of these studies was to:

- Establish the fundamental principles to guide the future development of the area; and
- In consideration of the information provided, Council provide a recommendation regarding timing of the rezoning of the area in accordance with the Council's Release Program.

In consideration of the issues relating to Farley (as outlined above), the representatives coordinating the preparation of these background studies were advised that the following issues be addressed, but not limited to:

- Traffic and Transport, including the local and arterial road network;
- Assessment of infrastructure capacity, delivery sequencing and affordability;
- Flooding and drainage;
- Environmental Impact, including biodiversity and geotechnical suitability;
- Rail-related impacts, such as acoustic and vibration assessment, third rail-line proposal and rail underpass,
- Adjoining land activities, including impacts from the industrial estate
- Visual impact, and
- Cultural heritage (European and aboriginal) management.

In general, the background studies recommend that more detailed study must be undertaken in order to present definite conclusions to the issues previously raised by Council.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

The issues and conclusion outlined in the reports have been assessed against the key principles and the key policy for residential land of the Maitland Urban Settlement Strategy.

Assessment in relation to MUSS Principle 1 and 2

Principle 1 and 2 of the MUSS are that *"Council supports appropriate urban growth for the City of Maitland"* and to manage the supply and demand of land in Maitland, *"it is necessary to limit the number and extent of candidate areas and provide for logical sequencing of development during the period of the Strategy"*.

Council's Land Release Program (Attachment 4) was prepared to provide a clear and logical sequencing of land releases in the LGA which maintains a 10 year supply of rezoned land. The adopted program currently identifies four major urban release areas for rezoning prior to the approval of the Maitland LEP 2011. In addition to this, the land release program identifies a number of urban release areas, rural residential areas and the urban infill and extension program to be rezoned in parallel with the preparation of the Maitland LEP 2011.

This adopted land release program represents a potential yield of 14,000 new lots rezoned with the approval of the Maitland LEP 2011. This represents a significant potential supply, particularly when considering that *"based on the five-year average for dwelling constructions, [there is] approximately 8-11 years supply of residential development citywide if no new land was rezoned for residential use"*. (pg 31 MUSS 2008)

The background studies have identified the complexity of issues surrounding the release of land and as recommended by the landowner's consultants; the rational approach to Farley is to complete the required detailed investigations before commencing any rezoning of land. Other urban release areas, as per Councils land release program are well advanced through the rezoning process and a number of identified areas are being completed in parallel with the Maitland LEP 2011 preparation. Therefore it is logical that the rezoning of land at Farley not commence till after the preparation and approval of the Maitland LEP 2011.

Assessment in regards to MUSS Residential Land Policy

The MUSS states that the key policy for residential land is to *"provide an adequate supply of land and sites for residential development"*. To further support this, the MUSS outlines a number of criteria by which this policy can be measured.

Supply of residential land

One of the key measures is the aim to maintain a 10-15 year supply of zoned residential land. As outlined in the MUSS 2008 (page 34), the revised estimate of zoned land within the western sector of the LGA, of which Farley is located is 14-17 years with a lot yield from existing zoned land totalling 2755. Supporting this forecast, the MUSS notes that *"currently there is significant areas of vacant, zoned residential land that is relatively unconstrained and likely to be able to be developed for residential purposes in this sector"*.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

Coupled with this supply of vacant land is the urban release area at Lochinvar which has the potential to provide 5000 lots. Lochinvar has an adopted structure plan and is currently progressing towards rezoning for inclusion in the Maitland LEP 2011, in accordance with previous Council resolutions.

The background studies for the Farley area identify capability and capacity as the two key issues to support bringing forward Farley to category 1. The reports suggest capability as being related to the willingness of the landowners to undertake the studies required for the land release and that greater a certainty would come with a category 1 classification and this would therefore facilitate the commitment from landowners to continue with the studies necessary to determine the extent and viability of the release area.

While the capacity is identified as an issue that is intended be resolved with more detailed investigations and that the *"actual lot yield at this point is uncertain"*. The report does however highlight the potential environmental constraints of the area and suggests that significant portions of the release area will be sterilised by this constraint.

As previously discussed and highlighted in the adopted 2008 MUSS, the western sector of the LGA currently has an estimated 14-17 year supply of residential land.

Other than offering the benefits of a perceived marketing point of difference, the report does not suggest that the western sector of the LGA will be unable to adequately supply the demand for residential land. The inclusion of Farley in the land release program for 2011 is not fundamental to achieving the policy directions of the MUSS.

Infrastructure Provision

To achieve the settlement strategy aim in regards to residential land, the MUSS states that "new development must be supported by necessary infrastructure, including utilities, transport, water cycle, recreation, social and community services". Background studies relating to transport, water and sewer were provided.

Road and Traffic Network

The Maitland Integrated Land Use and Transport Study report by URaP-TTW Pty Ltd, has been prepared and considers future traffic from planned growth areas in the Maitland LGA. The Maitland ILUTS report proposes a Southern By Pass through the Farley investigation area using part of Wollombi Road. Wollombi Road traffic is estimated to be 800 vehicles during peak hour by 2026 when the Hunter Expressway is in operation. Of this estimated 800 vehicles during peak hour the study accounts for a portion of the Lochinvar investigation area and estimates that the proportion of traffic through the Farley IA may be over 300 vehicles during peak hour.

At the time of the Maitland ILUTS study the potential yield of Farley was unknown. Therefore, the estimated traffic volumes generated by the Farley IA should be considered as additional traffic. The traffic report for the Farley Investigation Area proposes that for 1,500 lots the estimated traffic generation would be 1,275 vehicle trips (two-way) during peak hour.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

The Traffic Impact Statement (prepared by Better Transport Futures) for the Farley IA identifies that there are capacity constraints on the existing road network at the intersection of Wollombi Road and the New England Highway. To relieve this capacity concern for additional development, it is concluded in the background study that the option to upgrade to traffic control signals would only work to satisfactory service levels for 750 lots of the Farley IA. Therefore, to allow full development of 1,500 lots, the recommendation is for the preparation of an Access Strategy with the Council and the RTA needing to overcome the existing capacity constraints.

The critical issues for infrastructure planning are the upgrade of the intersection of Wollombi Road and New England Highway to traffic control signals, and the need for the proposed Southern By Pass to allow full development up to 1,500 lots. The route of the proposed southern by pass is an important consideration in the strategic planning for the Farley investigation area, and a number of preliminary options have been identified by Council through the relevant plans and studies.

In regards to future rail infrastructure, further investigations are required to take into account the planned ARTC's third rail line upgrade and potential impacts that this increased volume of rail traffic will have on future development.

Sewer and Water

Previous information provided by Hunter Water (attachment 3) indicates that despite Farley not being included in the "Maitland Water Servicing Strategy" prepared in October 2007, a significant upgrade to the water system is planned over the next price path (till 2013). Therefore, Hunter Water advises that there is the ability to service this area in the medium to longer term.

In relation to sewer, Hunter Water has recently completed the "Farley Wastewater Transportation Strategy System Servicing Strategy" (July 2009). Advice provided states that Farley was one of the growth centres identified in the strategy and while there is limited capacity through Maitland 14 Wastewater Treatment Plant (WWTP), it is due to be upgraded around 2012/2013. In addition to this, the inlet works will also require upgrading and this is due to be completed at the same time. Therefore, the advice from Hunter Water is that there remains the possibility that development may also pump directly to the Farley WWTP.

Further investigations and consultation with Hunter Water is required to ascertain the exact timing of available capacity in the water and sewer network to accommodate additional development in the Farley area.

Density and zoning consistent with land use constraints identified

It is critical that the constraints and opportunities of the investigation area are adequately investigated and that land use outcomes support the recommendations to minimise the negative impact on the environmental, social and cultural assets within the specific locality.

Flora and Fauna

No on-site testing was undertaken for the background study nor would it be expected at this stage of investigations. The literature review provided within the report indicates some significant species potentially on site; however some species, which have been located on adjacent sites, would need to be included in a further assessment. In particular, the study notes that should the Green and Golden Bell

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

Frog be located on site, it would be a substantial constraint the future development of dams and riparian areas.

Although the study concludes that at this time there is no ecological constraint to prevent the investigation area becoming category 1, the recommendation is for a further seven (7) separate surveys and assessments to be completed. The study also indicates several possible constraints to development of the investigation area and with the bushfire prone overlays would significantly reduce the area available for development.

In regards to establishing principles for future development, a key recommendation of the study is that "a development outcome which minimises the amount of remnant vegetation removal should be supported" (pg 40).

Geotechnical Capability

No on-ground assessment was undertaken for this study and the background report is restricted to a review of limited literature available for the site which again is a reasonable approach at this stage of the investigations. In particular the study highlights throughout that further studies are required to ascertain whether the initial comments/concerns of Council are justified for the future of the Farley IA.

In the assessment of the geotechnical capabilities, it is unclear whether the site has erodibility concerns as the conclusion provided is that a report undertaken in another investigation area nearby suggests the site is not overly susceptible to erosion.

No tests were carried out for this study to investigate the salinity, however it is known to be present in soils on surrounding sites and therefore Council could deduce that this would also be of concern in the Farley IA. The background study concludes that this should be the subject of further studies and if there is a problem that appropriate management strategies are required.

The Potential Acid Sulphate Soils (PASS) has not been mapped. However, the flora and fauna background study noted the presence of PASS on a small area and was a matter of concern, especially in regards to habitat and downstream issues.

The background studies provide no discussion as to the downslope impacts to Wentworth Swamp for any geotechnical issues and this presents general environmental concerns as well. The impacts of surrounding landuses, in particular those associated with the Rutherford Industrial area and Kurri Aluminium Smelter have also not been discussed within the context of environmental impact on the investigation area.

Heritage

Council's assessment in relation to the potential heritage and archaeological constraints is that inadequate information has been provided for any detailed consideration to occur.

Of significant concern is that a European cultural assessment as not been prepared. There has historically been no survey undertaken for the area. This is particularly relevant considering that it is known that the area has colonial associations with the route of the Old North Road, which traverses the study precinct. Also, no reference is made to the Northern Railway, which is a listed heritage item.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

The significant landscape features in the locality and the number of contributory heritage items have not been adequately assessment through the visual impact study provided. It is considered, by Council that their context and settings should be assessed and significant features retained.

The appropriate investigation of all these constraints contributes to a more confident direction to guide future development in the investigation area and provides a greater certainty of the potential residential yield that may be accommodated and contribute to the establishment of fundamental principles to guide future development within the Farley IA.

Establishment of fundamental principles for Farley IA

The adopted MUSS classifies the Farley Investigation Area as being category 2 due to the number of outstanding issues, some significant that need to be resolved prior to progressing the rezoning through the preparation of a structure plan. MUSS Principle 5 requires that each investigation area be subject to detailed planning and investigations. Although the preparation of the background studies has commenced, the majority of studies recommend further work and investigation will be required.

Council's resolution required that the background studies should provide information by which the fundamental principles to guide future development can be established. There are some recommendations offered which provide future opportunities and principles for the development of the Farley IA. However, further work must be completed to definitively establish fundamental principles which are appropriate to guide the future development of Farley and resolve the complex issues surrounding this location.

Timing and Implications

Council has previously resolved to implement a land release program as part of the comprehensive citywide LEP, due for gazettal in May 2011. All Category 1 and Preferred Rural Residential Investigation Areas, as well as infill and urban extension sites are being considered in the Maitland LEP 2011. Category 2 sites and preliminary investigation areas will be considered for rezoning after the completion of the Maitland LEP 2011.

Substantial progress has been made towards the zoning of most land releases for the Maitland LEP 2011, which have been adopted as Category 1. This work is being prioritised in anticipation of a draft zoning plan to be endorsed by Council before March 2010 and to be included in the draft Maitland LEP 2011.

Matters which are not sufficiently resolved (i.e. environmental investigations not completed or public authority objections) are unlikely to be included in the draft Maitland LEP 2011 and may have to continue as an amendment to the new LEP after May 2011.

The review of the background studies submitted for the Farley Investigation Area has clearly identified that substantial investigations are still required to resolve the complex issues which Council has previously identified specific to this location. It is unlikely that these issues could be adequately investigated and resolved, to fit within the Maitland LEP 2011 timetable. Therefore it is the recommendation of this report

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

that the Farley Investigation Area should maintain unchanged within Council's adopted land release program as a post-2011 rezoning.

FINANCIAL IMPLICATIONS

This matter has no direct financial impact upon Council's adopted budget or forward estimates.

POLICY IMPLICATIONS

The recommendation is for the Farley IA to be amended to a category 1 investigation area. Therefore, Council must seek an amendment to the Department of Planning's endorsement of the 2008 MUSS.

STATUTORY IMPLICATIONS

There are no statutory implications under the Local Government Act 1993 with this matter.

CONCLUSION

The background studies provided by the landowner's representatives indicate that there is a significant amount of work that is still required to resolve the outstanding issues, such as environmental constraints, infrastructure provision which Council has previously identified. However, there is no impediment for landowners to continue with these further investigations which is supportive with a category 1 investigation area and that will provide the necessary information for the future rezoning of land at Farley.

In the context of Maitland LEP 2011 preparation timing, the detailed investigations required would not enable the Farley IA to be rezoned for inclusion in the Maitland LEP 2011.

Council's adopted land release program provides a logical sequencing of land for future rezoning which maintain a manageable 10-15 year supply of residential land in the Maitland LGA. Council will also continue to regularly review and update the Maitland Urban Settlement Strategy to ensure that there is a strategic approach to cater for growth in Maitland and the Council is proactively responding to the needs of the future population of Maitland.

Service Planning and Regulation Reports

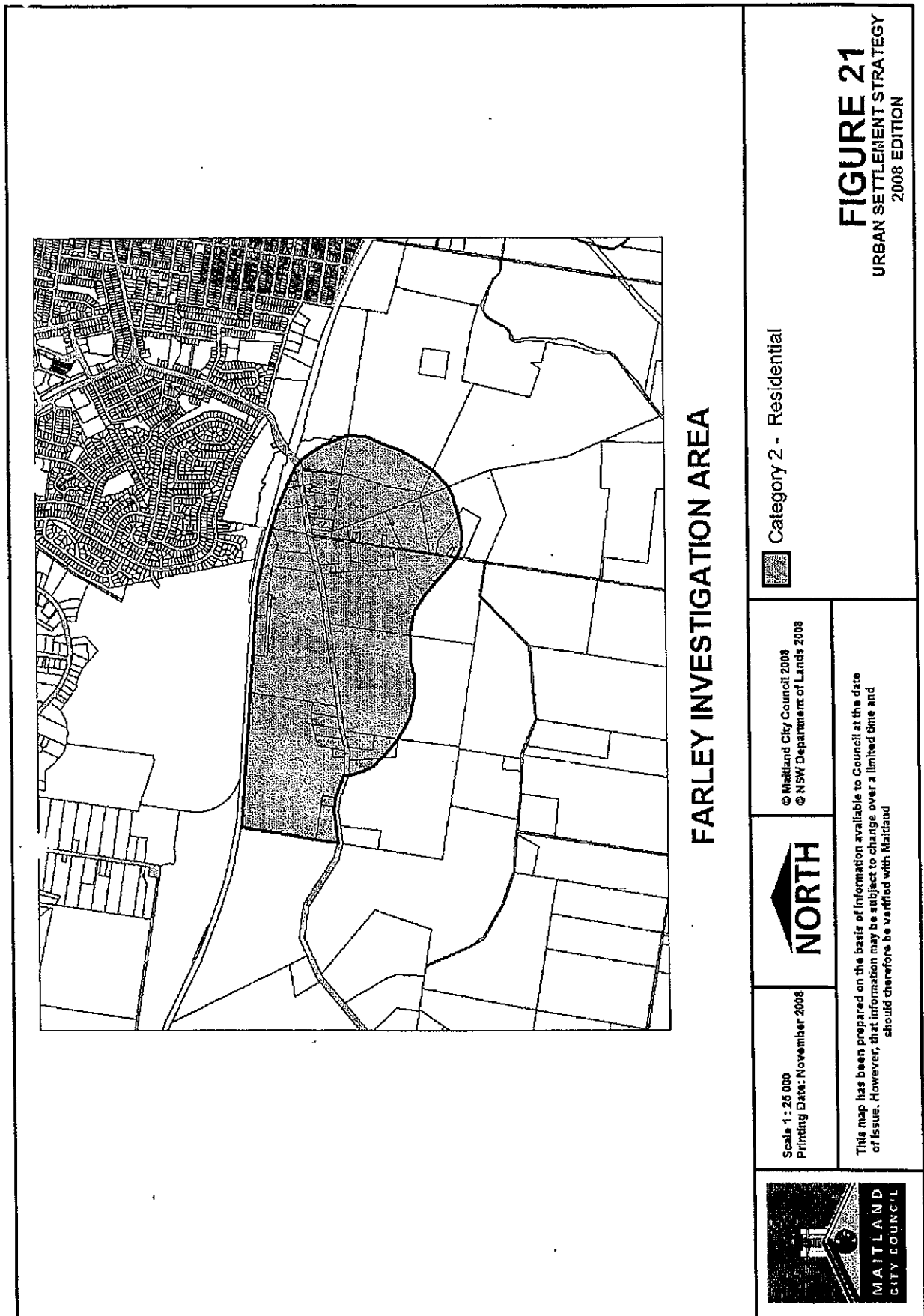
MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

Locality Map

Meeting Date: 10 November 2009

Attachment No: 1

Number of Pages: 1



Service Planning and Regulation Reports

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

Executive Summary - Background Studies

Meeting Date: 10 November 2009

Attachment No: 2

Number of Pages: 4

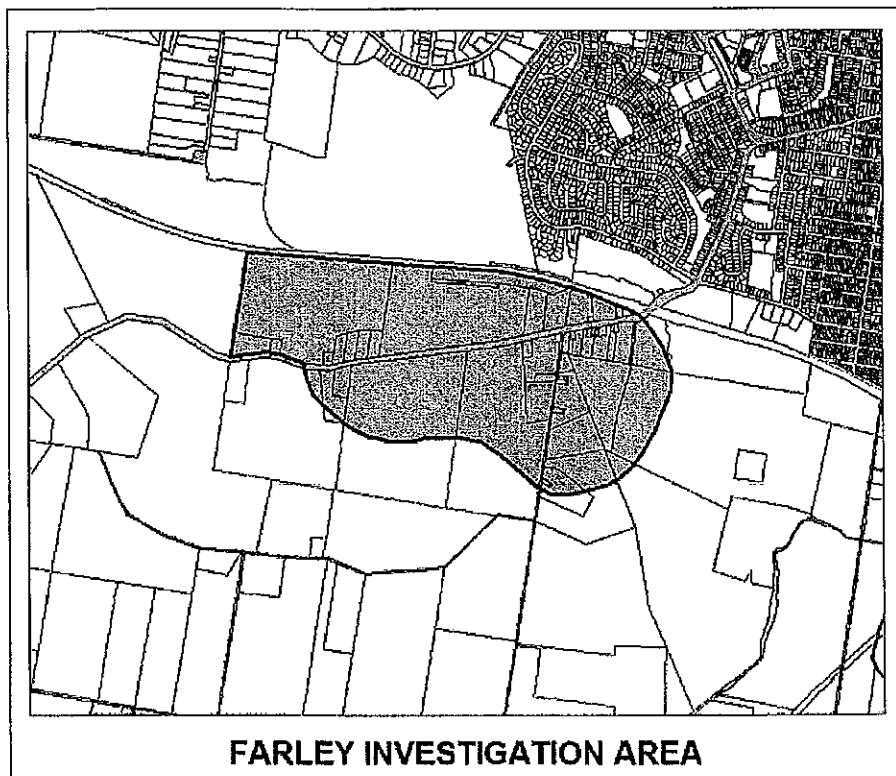


PLANNING REPORT

INTRODUCTION

ADW Johnson Pty Ltd have been instructed by Ravensfield Downs Pty Ltd to make a submission in respect to the Farley Investigation Area within the Maitland Urban Settlement Strategy (MUSS).

The investigation area covers cleared land north and south of Wollombi Road as shown in the figure below 'Farley Investigation Area'. It is bounded by the estimated 1% flood event and Wentworth Swamp in the south, vegetation boundaries to the west and the rail line to the north. The site is approximately 140 hectares that is partly cleared but adjoins large areas of relatively intact vegetation, with potential linkages to Wentworth Swamp and other areas of regionally significant biodiversity values. The long-term conservation of these areas of vegetation is a major priority in this area.



The submission has been prepared in regard to the current outstanding Council Resolution from the Meeting of Council 24 March 2009 (reproduced over page) concerning the status of the investigation area of 'Category 2 - Residential'.

**COUNCIL RESOLUTION****THAT:**

1. Council adopt the Urban Settlement Strategy 2008 and forward the strategy to the Department of Planning for endorsement;
2. Council adopt the Land Release Programme as outlined in the attachment to this report;
3. A monitoring report on land supply and demand be presented to Council on an annual basis;
4. A further report be presented to Council regarding timing and matters to be considered in the Maitland Local Environment Plan 2011.
5. In relation to the Farley Investigation Area:
 - (a) Landowners be requested to complete necessary background studies (as detailed on Pg 19 of the Council Agenda 10/3/09) to enable further consideration by the Council;
 - (b) Within two (2) months of receipt, a detailed assessment of the background reports be presented to the Council to establish the fundamental principles to guide the future development of the area, such also to include the recommendation timing of the rezoning of the area in accordance with the Council's Release Program.
 - (c) The Department of Planning be advised accordingly of (a) & (b) above.

BACKGROUND

The MUSS has formed the basis for the future zoning of land within the Maitland LGA for a number of years. The Farley Investigation Area has appeared firstly as an Investigation Area, then as Category 2 – Residential from the adoption of the first MUSS in 2001. Further, the Farley Investigation Area was identified within the Lower Hunter Regional Strategy released October 2006.

The current MUSS and future revisions shall be the base for land use rezonings within Council's comprehensive LEP review and proposed 2011 LEP. The current land use zoning within the Maitland Local Environmental Plan is 1(b) – Secondary Rural Land. The statutory rezoning process will determine the future land use zone for the entire site, likely to be a combination of residential, open space and/or conservation. Council in its Meeting Agenda of 10 March 2009 included the comments overpage in regard to the Farley Investigation Area, being the comments referred to in 5(a) of the resolution.

**Farley**

The 2008 review of the MUSS proposes Farley to remain as a Category 2 Investigation Area. An area at Farley has been included in the MUSS for several years, originally being incorporated following investigations into the Maitland Rural Strategy. It was highlighted at the time that Council and the community would need to establish fundamental principles for development prior to any more detailed planning. These principles included long-term goals for vegetation conservation, management of historic relics, infrastructure planning, visual impact and flood risk assessment.

To date, these matters have not been resolved and further land use and infrastructure planning is required prior to progressing to the preparation of a local environmental plan. Premature rezoning of the land could result in inefficient and expensive infrastructure servicing and limited opportunities to consider transport and access matters affecting the area. There is no imperative for this land to be brought forward for land supply or infrastructure sequencing purposes.

Boundaries of the investigation area are indicative and appropriate environmental studies will assist in determining zoning and land uses across the site, hence it is not considered necessary to review the boundary of the investigation area.

It is therefore recommended that Farley remain as a Category 2 Investigation Area (with the addition of certain land north of Wollombi Road), and that this matter be included in the land release program for consideration after the Maitland LEP 2011.

As required by the current Council Resolution, specifically 5(a), a number of site specific studies have been undertaken in regard to the investigation area and the progression of the investigation area to Category 1 – Residential within the MUSS.

CONSULTANT REPORTS

Environmental assessments have been undertaken and reports have been prepared in response to the Farley Investigation Area and the current outstanding resolution, and are attached for Council's consideration. The reports generally identify that there is no impediment to the progression of the Farley Investigation Area through to Category 1 – Residential within the MUSS. Some of the specific areas that have been investigated include:

Infrastructure Planning – There are opportunities available for independent connection of Farley Investigation Area to be made directly to the Farley WWTW, bypassing the issues associated with the timing of upgrades to the Maitland No. 14 Wastewater Pump Station. There is a community benefit to connect the existing residences to regional wastewater servicing. Furthermore, recycled water supply to the FIA site will benefit the FIA site to be



a sustainable outcome and progress the recycled water supply closer to the Rutherford area for future servicing expansion opportunities in the future.

Development of the site would allow resolution of the overall water servicing as part of the system upgrades associated with Lochinvar and the provision of the Windella Reservoir. There is nothing in the development proposal that would preclude the site being serviced for water.

Supply and Demand – The Farley land adds to product diversity. It is more likely to be “a stayer” and persist in the market because of a potentially slower sales rate compared to areas like Anambah or Lochinvar which will no doubt be price pointed and aimed at the first home buyer market. The Farley land is likely to be segmented to partly appeal to first home buyers but also second and third home buyers who can afford a slightly higher price for as a premium for topographical features, convenience and proximity. Land within this precinct has a capacity to be produced with a point of difference compared to the other major and infill release areas in the western and central precincts of Maitland. This is a desirable outcome from a market perspective.

Other Environmental Issues – The remaining reports generally document the environmental constraints within the site and provide an indication of issues to be addressed within the subsequent rezoning proposal. The investigation area currently does have a number of environmental constraints, however they are no different to other areas that have been progressed to Category 1 – Residential land within the MUSS.

CONCLUSION

The Farley Investigation Area has appeared within the MUSS for an extended period of time. During this time other release areas such as Thornton North, Gillieston Heights, Largs and Louth Park have progressed through to the rezoning stage. These areas have similar environmental constraints as the Farley Investigation Area, however they have been progressed. It is requested that the Farley Investigation Area is similarly progressed to allow for the orderly development of the land, and provision of urban land within the south western area of the Maitland LGA. The current outstanding resolution of the Council provides for the Farley Investigation Area to be similarly progressed, allowing for further assessment of the area to consider if the site is appropriate for urban development. The proposed progression of the Farley Investigation Area will not prejudice other investigation areas.

It is recommended that the Farley Investigation Area to be promoted to Category 1 – Residential within the Maitland Urban Settlement Strategy and Council's current Land Rezoning Program be modified to nominate the timing of Farley to be within the Maitland LEP2011.

Shannon Sullivan
SENIOR TOWN PLANNER

Service Planning and Regulation Reports

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

Preliminary Advice from Government Departments/Agencies

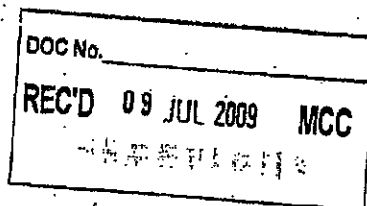
Meeting Date: 10 November 2009

Attachment No: 3

Number of Pages: 12

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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NSW GOVERNMENT
Department of PlanningOur Ref: NEW0006219-1
Your Ref: 103/77/4 (664002)Mr David Evans
General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Attention: Ms Leanne Harris

Dear Sir,

Farley Investigation Area

I refer to Council's request for preliminary advice regarding the possibility of elevating the Farley Investigation Area to Category 1, and accelerating the rezoning process ahead of that scheduled within the Maitland Urban Settlement Strategy 2008.

The Department requires that an adequate supply of zoned and serviceable land is provided at all times. In broad terms, the timing and sequencing of development is a matter for Council to determine, based on advice from key infrastructure providers and consistent with the policy and principles established within the Maitland Urban Settlement Strategy. The MUSS 2008 demonstrates that the Council is presently ensuring that an ample supply of zoned serviceable land for urban development is being maintained, as well as a future supply of land which is currently in the process of being rezoned.

In this context, the sequence and timing of more detailed studies into remaining potential release areas, and the appropriate category for particular potential release areas, are matters open to Council to review and adjust as relevant or required in response to changing circumstances. The approach you have outlined to deal with the Farley Investigation Area appears adequate to inform consideration of suitable timing of rezoning action in relation to land within that release area. At the relevant stage, various matters you have foreshadowed, including overall land supplies, and appropriate development sequence having regard to infrastructure and service considerations, will be matters for consideration also by the Lower Hunter Urban Development Committee.

Please be advised that the 2008 Edition of the Maitland Urban Settlement Strategy is currently being considered by the Department for endorsement and separate correspondence regarding this will be provided to Council as soon as possible. If you wish to discuss any aspect of this matter please contact Katrina O'Flaherty on telephone 4904 2718.

Yours sincerely

Gary Oakley
Team Leader
Hunter & Central Coast Region

Hunter & Central Coast Region - Hunter Office - Level 2 26 Honeysuckle Drive (PO Box 1226) Newcastle NSW 2300
Phone 02 4904 2700 Fax 02 4904 2701 Website planning.nsw.gov.au

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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Your reference : 103/77/4 (884125)
 Our reference : DOC09/16966 & DOC09/16242, FILE09/22-04
 Contact : Richard Bath, 4908 6805

Mr David Evans
 General Manager
 Maitland City Council
 PO Box 220
 MAITLAND NSW 2320

DOC No.	
REC'D - 1 JUN 2009	MCC
FILE No.	
REFER	

Attention: Monica Gibson / April McCabe

Dear Mr Evans

Re: Maitland Urban Settlement Strategy 2008 and Farley Investigation Area

I refer to your letters dated 1 and 6 April 2009 seeking preliminary advice from the Department of Environment and Climate Change (DECC) to allow the rezoning process for Farley Investigation Area to be accelerated from that stated in the adopted Land Rezoning Program.

DECC understands that Council is seeking advice that will assist them in reviewing background studies currently being prepared to investigate changing the ranking of the Farley Investigation area from Category 2 to Category 1.

Based on the information presented to DECC, the key issues which Council should focus on when assessing the Farley Investigation Area background studies are:

- the impacts on threatened species and their habitat;
- impacts on endangered ecological communities (EECs);
- impacts on wildlife corridor links and wildlife movement;
- the impacts on Aboriginal cultural heritage values;
- the impacts of water cycle management proposals on receiving waters;
- the impacts on/from flooding (and also in relation to future climate change);
- the impacts from contaminated sites;
- the impacts of odour and/or noise from nearby sources at Rutherford Industrial Estate, Farley Waste Water Treatment Works, Main Northern Railway (particularly considering forecast increases in rail traffic); and
- that there is sufficient sewage treatment capacity for the proposed development.

The Department of Environment and Conservation NSW is now known as
 the Department of Environment and Climate Change NSW

PO Box 488G, Newcastle NSW 2300
 117 Bull Street, Newcastle West, NSW 2302
 Tel: (02) 4908 6800 Fax: (02) 4908 6810
 ABN 30 841 387 271
www.environment.nsw.gov.au

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If you have any enquiries concerning this advice, please contact me on 4908 6805.

Yours sincerely



RICHARD BATH
Acting Head Planning Unit, Hunter
Environment Protection and Regulation

27.5.09

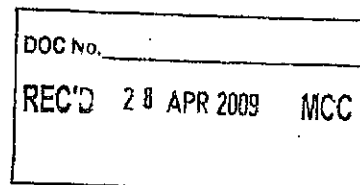
MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320



Attention: Ms Monica Gibson

MAITLAND URBAN SETTLEMENT STRATEGY 2008 AND FARLEY INVESTIGATION AREA

Dear Monica

I refer to your letter dated 6 April 2009 (Your reference: 103/77/4) and the RTA's previous responses regarding Council's Settlement Strategy forwarded to the RTA for comment.

The RTA, in principle, would have no objections to the acceleration of the proposed release of the Farley investigation area, consistent with the requirements that Council has outlined.

It would be an expectation of the RTA that the following issues, as a minimum are addressed prior to the Farley investigation area being included in the proposed Maitland LEP 2011:

- A detailed traffic study shall be prepared in accordance with the RTA's *Guide to Traffic Generating Developments*, to investigate the impacts of proposed rezoning on the road network in consultation with the RTA. The study should include consideration of the following as a minimum:
 - Identify the constraints in the existing road network;
 - Demonstrate the capacity and functionality of the road network in catering for the expected future traffic volumes in the area, particularly the New England Highway;
 - Detail the impacts upon the regional and state road network at the various stages of development;
 - Consider any other major land use changes that will increase demand on the future road network.
 - An indicative road hierarchy and property access strategy for the road network.
- Additionally it is noted that Council has stated that a south Maitland by-pass is being assessed. Presumably this is being completed through the traffic study that Council has been undertaking for Maitland. It is requested that this study be forwarded for review when it is completed as any long term road network strategy that may impact upon the State road network will require RTA input.

Roads and Traffic Authority



59 Darby Street
Newcastle NSW 2300

Locked Bag 30 Newcastle NSW 2300
DX 7913 Newcastle

T 02 4924 0240

www.rta.nsw.gov.au

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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- The traffic study should be utilised to identify the necessary road and transport infrastructure improvements required as a direct result of the development. Satisfactory arrangements to fund and construct the required road infrastructure should be made prior to the future development occurring to ensure a fair and equitable contribution to the works by all parties.
- Consistent with other urban release areas, the RTA will require the developer(s) to enter into a Voluntary Planning Agreement (VPA) / Deed Containing Agreement (DCA) for contributions towards designated State public infrastructure (State roads) prior to any development / subdivision proceeding on the site.

If Council or the land owners require any further information the RTA is willing to assist through the rezoning process. It would be expected that the general issues listed above are addressed prior to Council considering this area for inclusion in the proposed LEP amendment.

Please contact Brad Parkes on (02) 4924 0337 if you require further advice.

Yours sincerely

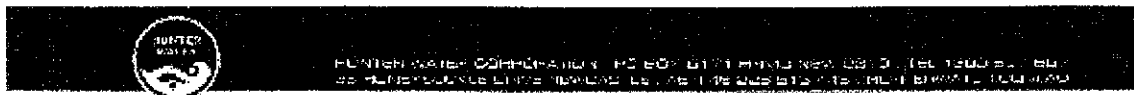


John Farrell
Manager, Land Use Development
Hunter Operations and Engineering Services

27 April 2009

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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27 August 2009

Reference: 2008-953
Your Reference: 2972

Monica Gibson
Manager City Strategy
PO Box 220
Maitland, NSW 2320

Dear Ms Gibson,

RE: MAITLAND LOCAL ENVIRONMENT PLAN 2011 - S62 CONSULTATION

I refer to your letter dated 01 September 2008 concerning the Maitland LEP Section 62 consultation. I sincerely apologise for the delay in replying. Hunter Water values the opportunity to provide comments on this document and accordingly offers the following comments.

1. *Provision of a list (and accompanying map) of properties owned by HWC in the Maitland LGA. A GIS layer of properties would also be appreciated, compatible with Mapinfo 9, Projection AMG Zone 56.*

A plan and Mapinfo layer of Hunter Water owned properties will be provided later in August 2009. It should be noted that so long as existing use rights can be maintained, Hunter Water **does not want** land to be rezoned to match the asset.

2. *Issues relating to current (MLEP 1993) zoning and specific LEP and DCP provisions applying to properties owned by HWC.*

Hunter Water's main concern is that our infrastructure is permissible in the zoning or has existing use rights.

3. *Future planning requirements for HWC properties, including buffer requirements.*

Please find attached buffer zone plans for Morpeth and Farley Wastewater Treatment Plants.

4. *Consideration of SEPP (Infrastructure) 2007, particularly the prescribed zones and provisions relating to the range of HWC infrastructure and the resulting relationship to MLEP 2011.*

The main items of infrastructure that Hunter Water intends to provide are;

- Windella Reservoir (around 2011)
- Telerah Water Pump Station (around 2012)
- Lochinvar Water Pump Station (around 2013)
- 2nd Harpers Hill Reservoir (around 2015)
- Largs 3 WWPS (expected 2009)
- Thornton 1 WWPS
- Berry Park WWPS

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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5. *Relationship of MLEP 2011 to Lower Hunter Regional Strategy and Lower Hunter Urban Development Program.*

Hunter Water is integrating the Lower Hunter Regional Strategy and Urban Development program into future planning work.

6. *HWC's capacity to provide infrastructure to land identified in Maitland Urban Settlement Strategy (MUSS) and resultant sequencing issues (see MUSS map attached).*

The following general comments are offered concerning supply of water and sewer services to the land identified as an investigation area in the MUSS.

Lochinvar

Water - Lochinvar was one of the growth centres considered in the recently completed "Maitland Water Servicing Strategy – Oct 2007". There is limited capacity available in the short-term but future capacity is expected to start to become available from 2011 onwards. Hunter Water has a program of works over the next 5 years that will gradually deliver greater capacity to supply water to the Lochinvar area.

Sewer – Lochinvar was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". Development in Lochinvar will drain to Maitland 14 WWPs and then onto Farley WWTP. There is currently limited capacity through Maitland 14 WWPS and it is due to be upgraded around 2012/13. The inlet works to Farley WWTP will also require upgrading and are due to be completed around the same time as Maitland 14 WWPS (2012/13).

Anambah

Water – Anambah was one of the growth centres considered in the recently completed "Maitland Water Servicing Strategy – Oct 2007". There is limited capacity available in the short-term but future capacity is expected to start to become available from 2011 onwards. Hunter Water has a program of works over the next 5 years that will gradually deliver greater capacity to supply water to the Anambah area.

Sewer – Anambah was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". Development in Anambah will drain to Maitland 14 WWPs and then onto Farley WWTP. There is currently limited capacity through Maitland 14 WWPS and it is due to be upgraded around 2012/13. The inlet works to Farley WWTP will also require upgrading and are due to be completed around the same time as Maitland 14 WWPS (2012/13).

Rutherford

Water – There is limited capacity in the water supply system to supply the industrial area in Rutherford. This area wasn't specifically included in the "Maitland Water Servicing Strategy – Oct 2007" but as a significant upgrade to the water supply system is planned over the next price path (till 2013), Hunter Water does not see any problem in servicing this area in the medium to longer term. In fact, additional capacity is expected to be available in 2011 onwards.

Sewer – Rutherford was one of the industrial centres identified for growth in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". Development in Rutherford Industrial Estate will drain to Maitland 14 WWPS and then onto Farley WWTP. There is currently limited capacity through Maitland 14 WWPS and it is due to be upgraded around 2012/13. The inlet works to Farley WWTP will also require upgrading and are due to be completed around the same time as Maitland 14 WWPS (2012/13).

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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Farley

Water – The Farley area wasn't specifically included in the "Maitland Water Servicing Strategy – Oct 2007" but as a significant upgrade to the water supply system is planned over the next price path (till 2013), Hunter Water does not see any problem in servicing this area in the medium to longer term.

Sewer – Farley was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". Development in Farley will drain to Maitland 14 WWPS and then onto Farley WWTP. There is currently limited capacity through Maitland 14 WWPS and it is due to be upgraded around 2012/13. The inlet works to Farley WWTP will also require upgrading and are due to be completed around the same time as Maitland 14 WPS (2012/13). It is possible that this development may also pump directly to Farley WWTP.

Gillieston Heights

Water – Capacity is available now for Gillieston Heights.

Sewer – Gillieston Heights was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". Some capacity is currently available in Gillieston Heights and it is expected that upgrades will occur to meet future demand as needed.

Oakhampton

Water – The Oakhampton area wasn't specifically included in the "Maitland Water Servicing Strategy – Oct 2007" but as a significant upgrade to the water supply system is planned over the next price path (till 2013), Hunter Water does not see any problem in servicing this area in the medium to longer term. Oakhampton will most likely be best serviced through development in Aberglasslyn. It is expected that upgrades will occur to meet future demand as needed.

Sewer – Oakhampton was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". This development will most likely be serviced through the Aberglasslyn development.

Bolwarra Heights/Maitland Vale

Water – This area was considered in the "Maitland/North Rothbury Water Supply System Servicing Strategy – June 2007" and some augmentation works have been identified. It should be noted however, that Hunter Water did not see this as an immediate growth corridor and at this stage, upgrade works aren't scheduled to start till around 2017/18.

Sewer – Bolwarra Heights/Maitland Vale was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". At this stage, significant future upgrades of the Bolwarra system aren't scheduled until 2013/14 but may be adjusted according to demand.

Largs

Water – The Largs area wasn't specifically included in the "Maitland Water Servicing Strategy – Oct 2007" but as a significant upgrade to the water supply system is planned over the next price path (till 2013), Hunter Water does not see any major problems in servicing this area.

Sewer – Largs was one of the growth centres identified in the recently completed "Farley Wastewater transportation System Servicing Strategy – July 2009". At this stage, significant future upgrades of the Largs system and then the Bolwarra system are planned for the medium to longer term.

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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Louth Park

Water - There are no water supply issues for Louth Park.

Sewer - The Louth Park Investigation area was included in the "Morpeth Wastewater Transportation System Servicing Strategy – June 2009". It is most likely that developers will have to provide future upgrades from Louth Park to Maitland No. 5 WWPS.

Thornton North/Berry Park

Water - This area was included in the "Maitland Water Servicing Strategy – Oct 2007" and upgrades to the water supply system are currently being undertaken. Hunter Water expects that upgrades to the system will occur to meet demand over the short to medium term.

Sewer - The Thornton North Investigation area wasn't included in the "Morpeth Wastewater Transportation System Servicing Strategy – June 2009". However, capacity is available to supply the current residentially zoned land and as this area is located close to Morpeth WWTW, it is expected that servicing this area won't be difficult in the medium term.

7. *HWC's capacity to augment infrastructure to existing urban and urban fringe areas, for example Raworth and Bolwarra.*

Raworth

Water - There are no major constraints to augmenting water infrastructure to service urban fringe areas in Raworth.

Sewer - There are no major constraints in augmenting the sewer infrastructure to service urban fringe areas in Raworth.

Bolwarra

Water - There are no major constraints to augmenting water infrastructure to service urban fringe areas in Bolwarra. See question 6 above for timing.

Sewer - Bolwarra is currently serviced by a CEP Sewer system and Hunter Water does not allow any new connections to this system. Hunter Water has no plans to upgrade the existing CEP system so therefore all future development in the area will need to connect to the gravity sewer system at the developer's expense.

8. *HWC's intention to provide water re-use infrastructure, the resultant locational implications and the applicability of SEPP (Infrastructure) 2007 and MLEP 2011.*

Hunter Water is preparing an Effluent Management and Recycled Water Strategy for the Farley catchment that is expected to be completed in about 1 month's time. The only development that Hunter Water is currently committed to for recycled water in the Farley catchment is Gillieston Heights. The recycled water strategy study has included areas such as Lochinvar, Anambah, Rutherford (Industrial) and Farley as potential recycled water areas.

In the Morpeth catchment, the only development that we expect to use recycled water is Thornton North.

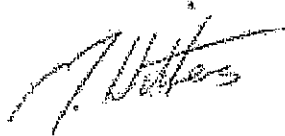
9. *Issues relevant to MLEP 2011 arising from draft Hunter Estuary Management Plan (July 2008.)*

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

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Hunter Water has no major issues associated with the draft Hunter Management Plan (2008).

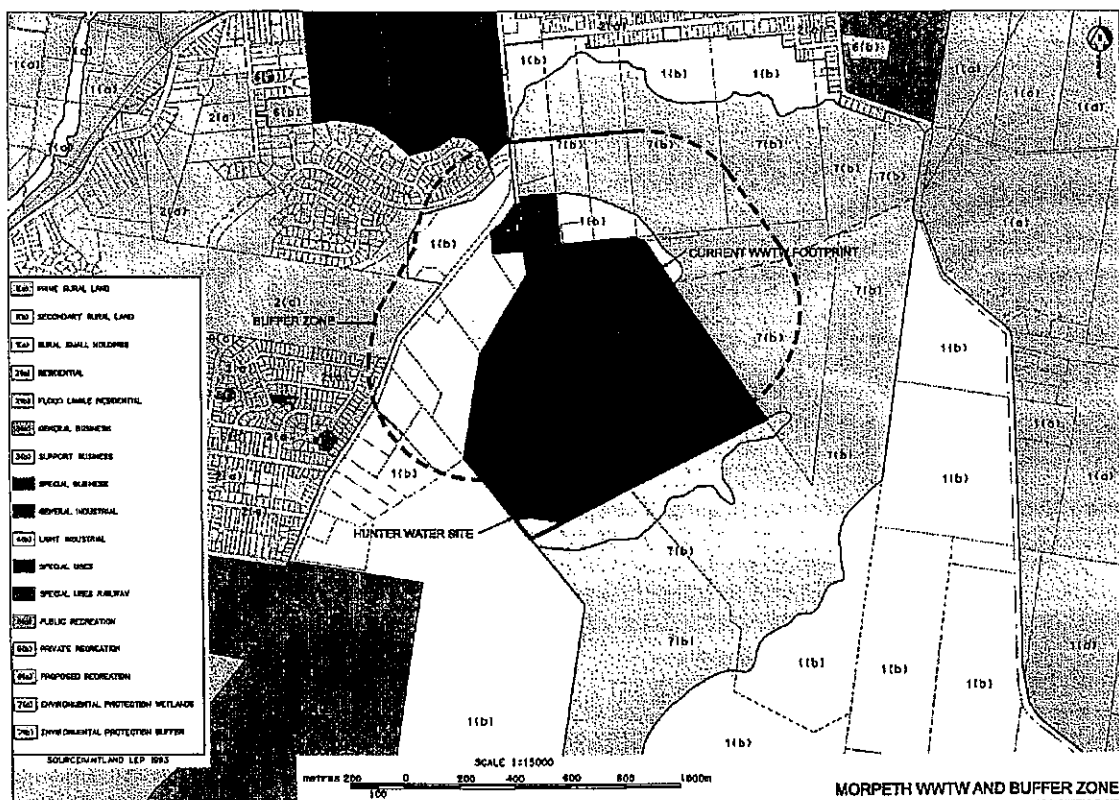
Please do not hesitate to contact me on 4979 9545 should you require any additional information.

A handwritten signature in black ink, appearing to read 'M. Withers', is positioned above the printed name.

MALCOLM WITHERS
Senior Account Executive – Major Development

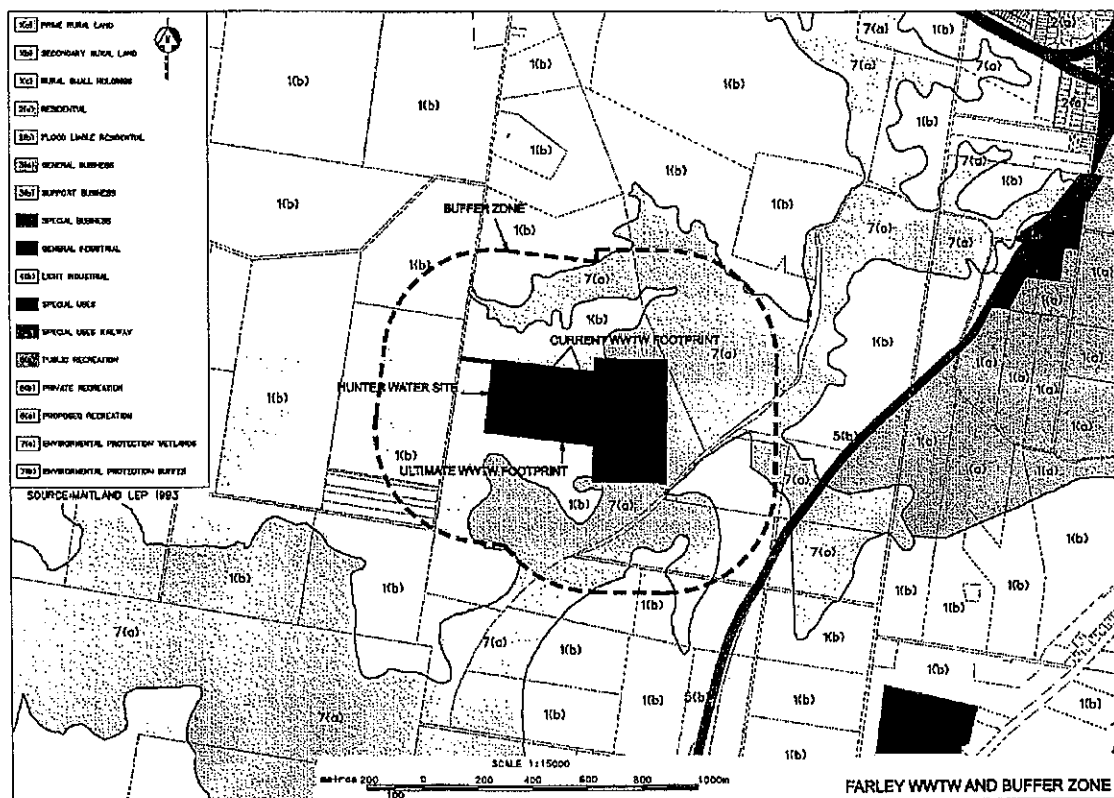
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Service Planning and Regulation Reports

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA

Land Release Program

Meeting Date: 10 November 2009

Attachment No: 4

Number of Pages: 1

MAITLAND URBAN SETTLEMENT STRATEGY 2008 - REVIEW OF FARLEY INVESTIGATION AREA (Cont.)

2008 REVIEW MAITLAND URBAN SETTLEMENT STRATEGY - ADOPTION (Cont.)

Land Release Program

The table below outlines a program for rezoning of land identified in the Settlement Strategy which ensures a 10-15 year supply of zoned land is maintained, is mindful of the agreement with the Department of Planning for priority rezoning areas and is achievable in conjunction with the preparation of the Maitland LEP 2011.

This approach provides a clear direction for the community and stakeholders as to which areas Council will rezone in the short, medium and long term.

Pre Maitland LEP2011	Maitland LEP2011	Post Maitland LEP2011
Thomton North	Lochinvar & Lochinvar Fringe	Farley
Gillieston Heights (as per Council resolution July 2007)	Belwarra	Anambah
Louth Park	Aberglasslyn	Thomton/Ashtonfield Industrial
Largs	Gillieston Heights (north of Gillieston Road)	Metford Industrial
Rutherford Industrial	Greta Rural Residential	
	Mt Harris Rural Residential	
	Residential and employment Infill/ extension sites	
	Residential development in commercial centres, as recommended in (future) Maitland Centres Strategy	
Potential Yield: 3,400 residential lots 100 hectares employment land	Potential Yield: 10,600 residential and Infill lots 75 rural residential lots	Potential Yield: 5,000 residential lots 140 hectares employment land

AS ADOPTED: 24 MARCH 2009

Appendix FOUR

MUSS 2010 Extracts

**Maitland Urban Settlement Strategy 2001-2020:
A Strategy for urban growth in the Maitland Local Government
Area
Review 2010 Edition**

Produced by:

City Strategy
Maitland City Council

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Document Amendments:

Edition	Public exhibition dates	Adoption date
Maitland Urban Settlement Strategy	10.08.2000 – 5.10.2000	28 August 2001
Maitland Urban Settlement Strategy 2004 Edition	8.12.2003 – 30.01.2004	22 June 2004
Maitland Urban Settlement Strategy 2006 Edition	25.05.2006 – 19.06.2006	25 July 2006
Maitland Urban Settlement Strategy 2007 Edition (Lochinvar)	18.12.2006 – 02.04.2007 12.07.2007 – 24.08.2007	9 October 2007
Maitland Urban Settlement Strategy 2008 Edition <i>Conditional endorsement from Dept of Planning 01.09.2009</i>	28.07.2008 – 29.08.2008 <u>Extended:</u> 29.08.2008 – 12.09.2008	24 March 2009
Maitland Urban Settlement Strategy 2008 Edition (Farley)		10 November 2009
Maitland Urban Settlement Strategy 2010 Edition <i>Report to Council for Adoption 30 August 2011</i>	28.03.2011 – 25.04.2011	

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List of Abbreviations

DCP	Development Control Plan;
DoP	Department of Planning (NSW)
EPA	Environmental Protection Agency
LEP	Local Environmental Plan;
LGA	Local Government Area;
LHRS	Lower Hunter Regional Strategy – Prepared by NSW Department of Planning – October 2006
MUSS	Maitland Urban Settlement Strategy also referred to as 'The Urban Strategy';
UDP	Urban Development Program;
WWTP	Waste Water Treatment Plant

EXECUTIVE SUMMARY

Introduction

The City of Maitland is a unique part of the Hunter Region. It is a place of great historical importance, with significant environmental assets and economic potential. It is a growing city, with great value to those who live and work here, and to those who merely visit or pass through the area.

Council has therefore developed a Long-Term Vision Statement, in consultation with the community, to describe the desired future for the City. The community's Long-Term Vision has been defined as:

"A safe and healthy sustainable future, a proud and involved community which enhances our community's quality of life"

Maitland City Council has accepted the challenge to plan for the City's growth in the period 2001-2020, with the aim of achieving the appropriate balance between the goals of economic, community and ecological prosperity. The Maitland Settlement Strategy has been developed to provide the over-arching framework for urban growth in the City during this period.

The Strategy examines the wider implications of new urban development, including effects on servicing, existing land uses, environmental values and the historic and rural character of the City.

It also examines the level of supply and demand in different parts of the City to ensure that there are adequate on-going supplies of land zoned for urban purposes.

Areas that have the potential for sustainable urban development, including residential and large lot residential, industrial and commercial development have been identified as Investigation Areas in this Strategy.

Strategic Context

The Strategy includes consideration of state and regional planning strategies and provides a summary of Council's strategic plans, to ensure that new development will be compatible with the hierarchy of strategies, which are already in place.

The Maitland LGA (Local Government Area) is recognised as a key urban growth corridor in the Lower Hunter with its proximity to transport corridors, commercial and industrial lands, and potential greenfield development sites.

Forecast population growth as well as changes in technology and transportation is expected to lead to an increasing role for Maitland as part of the Greater Metropolitan Region of Sydney, Newcastle and Illawarra. The City's relative capacity for growth within this metropolitan region is also expected to bring strategic opportunities for the future.

Population Forecasts

Maitland's estimated residential population at 30 June 2009 was 69,154. In 2004/2005, Maitland was the fastest growing local government area in NSW with a population increase of more than 1600 in this period.

In reviewing the Urban Settlement Strategy, the projected population growth rate has been revised based on more recent information and regional growth predictions. Continued population growth is forecast at a rate of **2% pa**, which is a medium growth estimate.

A key principle of the strategy is to provide a sustainable approach to redevelopment of existing urban areas to accommodate predicted population growth. In addition new urban development should be sequenced so that new areas are in close proximity to existing urban areas and urban infrastructure, particularly water and sewer.

It will also be necessary that urban growth takes place in a manner which protects the environment and the unique historical and rural identity that make the Maitland area such a great place to live. Council has therefore included a series of planning objectives in the strategy and a list of issues for consideration as investigations for new urban development are undertaken.

Summary of Strategy Outcomes

A range of Investigation Areas have been identified throughout the Maitland LGA, in areas that appear to be generally suitable for urban development, based on investigations undertaken during the preparation of this Strategy. These areas are shown in the Executive Summary Strategy Map (pg 13).

The Investigation areas have been categorised as 1 or 2 to indicate a general sequence for development. *Category 1* land is connected with existing urban areas and is expected to be more easily serviced. *Category 2* lands would logically be developed after Category 1 land in both a cost and physical sense. Sequencing of this land for development is critical to ensure a manageable and sustainable rate of growth. Table 2 indicates the sequencing and timeframe for these investigation areas.

Council has also identified *Preliminary Investigation Areas*. These indicate potential areas for development where fundamental issues remain to be considered prior to more detailed investigations and longer term development options. The Preliminary Investigation Areas of Anambah and Lochinvar Fringe are identified areas for future rural transition, necessary to address the interface between existing urban areas and rural fringe areas. The Preliminary Investigation Area of Thornton/Ashtonfield is identified for future employment land however requires further investigations to determine the suitability of the area for industrial land use. Similarly the Preliminary Investigation Area of Thornton (Brickworks Road) requires further investigation to determine the suitability of the area for any form of development. The Preliminary Investigation Area of Maitland Vale is an area identified for long term development and further investigations are necessary to determine the future urban outcomes for the site.

The expected major growth corridors for residential development during the period for the strategy are located at Thornton North, Louth Park and Lochinvar with additional Category 1 Investigation Areas at Aberglasslyn, Farley and Anambah. A portion of the lands at Farley will be sequenced following initial Category 1 lands and appropriate structure planning.

Lands identified for Preferred Large Lot Residential Investigations are also shown on the Executive Summary Strategy Map as '*Preferred Large Lot Residential*'. There is one area identified for Preferred Large Lot Residential development, being Greta

Investigation Area. There are a limited number of locations proposed for this form of development as further investigations are required to determine appropriate outcomes for these sites.

In addition, this Strategy also proposes planned and coordinated urban re-development within the existing key centres of Central Maitland, Rutherford, Thornton and East Maitland.

The Strategy recognises that the consolidation of these centres offers a sustainable balance to greenfield urban development. Urban infill and urban extension development utilises existing infrastructure, providing a mix of housing types and affordability, all with good access to public transport; community services; employment and retail opportunities.

The principle for urban consolidation through urban infill and extension development is to provide a sustainable approach to redevelopment of existing centres and urban areas to accommodate predicted population growth. To ensure a consistent and transparent approach to the identification and assessment of future urban extension and urban infill proposals, Council has incorporated its adopted policy position within this Urban Settlement Strategy to provide a clear understanding by what the Council classifies as being urban extension or urban infill development.

In summary, this Strategy provides for a range of urban and employment land uses, in a staged manner considering the short and long-term development demands. A variety of housing types are catered for, including large lifestyle lots and affordable small lot housing.

Table 1a: Estimated urban land supply (MUSS 2001-2020)

Existing Zoned Land	7,920 dwellings
Category 1 Residential	17,600 dwellings
Category 2 Residential	720 dwellings
Large Lot Residential areas	207 dwellings
<i>(Available Zoned Land and Preferred Large Lot Residential Investigation Area)</i>	
TOTAL	26,447 dwellings

Source: Maitland City Council, 2011

**Table 1b: Estimated urban land supply targets
(Lower Hunter Regional Strategy 2006-2031)**

New Urban Release Areas	21,500
Urban Infill Development	3,000
Urban Consolidation (Centres Development)	2,000
TOTAL	26,500 dwellings

Source: DoP, 2006

Table 2: Residential land sequencing

Land release	Location
Short-term (0 – 5 yrs)	Thornton North (Stage 2) Lochinvar Aberglasslyn (Stage 2) Lochinvar Louth Park Farley Anambah Greta
Medium term (5 – 10yrs)	Farley Category 2 Gillieston Heights (Stage 3)
Long term (10+ yrs)	Maitland Vale Anambah Preliminary Lochinvar Fringe Thornton (Brickworks Road)

Source: Maitland City Council, 2011

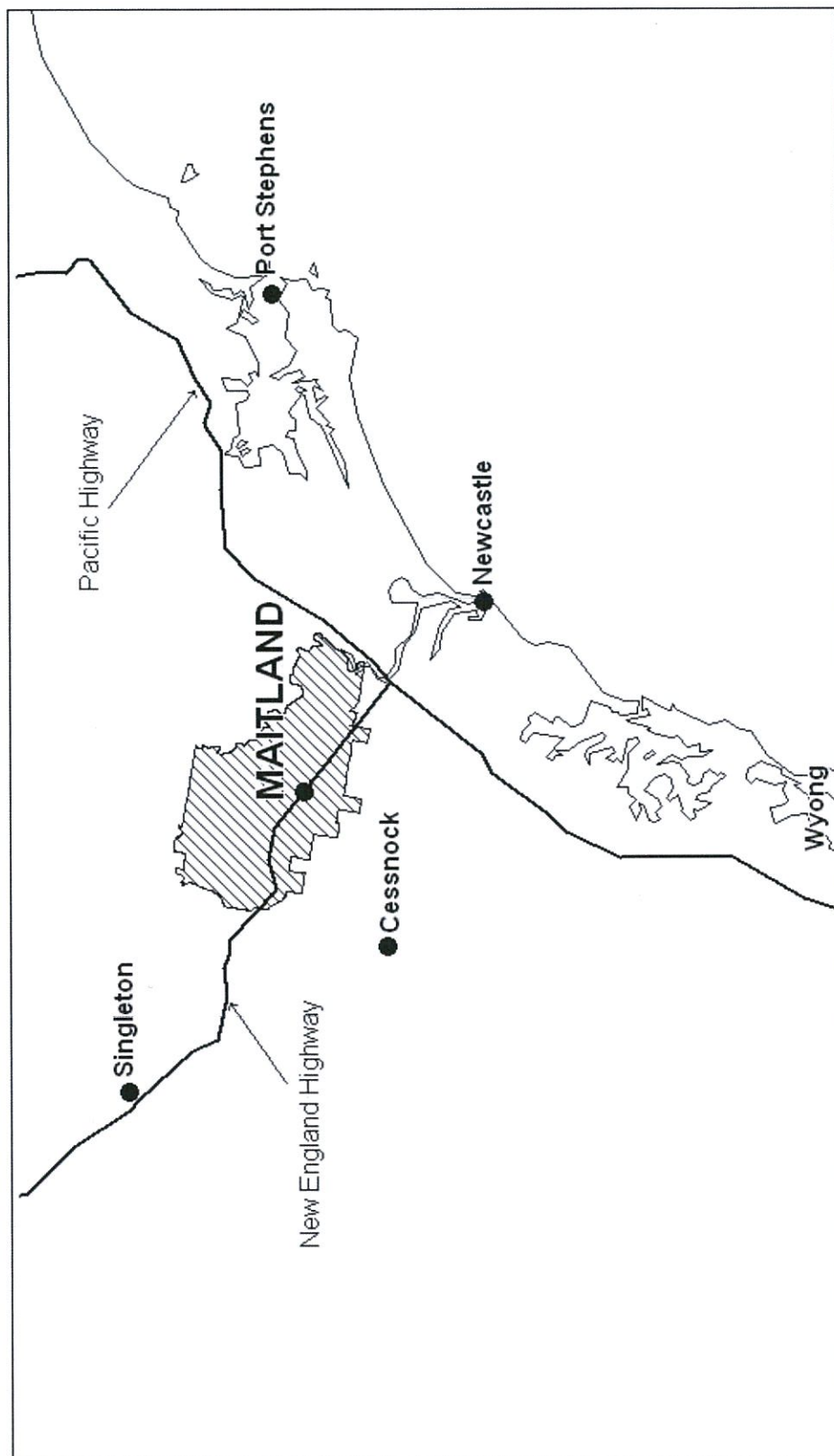
Conclusion

The Maitland Urban Settlement Strategy provides the broad direction for future urban growth in the Maitland LGA. The Strategy aims to provide both flexibility and certainty by maintaining a generous supply of land for residential growth on a number of development fronts throughout the Maitland LGA, without rezoning too much land ahead of market demand.

It provides for a logical urban hierarchy, within the context of the unique range of natural and man-made constraints in the Maitland LGA, including the City's rural and historical character, prime agricultural land and sensitive environment.

In summary, this strategy makes provision for on-going population growth over the next 15 – 25 years. A range of different housing types and locations are proposed in the strategy.

Within the broad framework set by the Urban Settlement Strategy it is now up to Council and the community to ensure that future urban development enhances the existing qualities and environment of the Maitland area.



REGIONAL LOCATION OF THE MAITLAND LGA



Scale 1 : 700 000
Printing Date: June 2011



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This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland

FIGURE 01
URBAN SETTLEMENT STRATEGY
2010 EDITION

PART FOUR - PRINCIPLES AND POLICY FRAMEWORK

The underpinning principles for urban settlement are included in this section. Planning policies for urban and employment land growth and development are used to guide the identification of investigation areas.

4.1 Key Principles

A number of key principles have been established during the formulation, development and initial implementation of the Strategy, as discussed below:

PRINCIPLE 1:

Council supports appropriate urban growth for the City of Maitland

It is emphasised at the beginning of the Settlement Strategy that Council is supportive of urban growth within the period of the Strategy. Such a statement is considered to be in accordance with public sentiment based on consultation undertaken during the preparation of the Settlement Strategy.

PRINCIPLE 2:

It is necessary to limit the number and extent of candidate areas and provide for logical sequencing of development during the period of the Strategy.

It is essential that Council establish limits on the availability of land for urban development and the need for logical sequencing of development. Priorities for investigation in the Strategy have primarily been determined with regard to the proximity of the areas to existing urban areas, including broad consideration of the capability for logical servicing with water and sewerage infrastructure. The Strategy is expected to provide sufficient stocks of suitable land for investigation for urban development in the short to medium term.

PRINCIPLE 3:

The Strategy considers development over a 20 year period subject to review on a regular basis

The Settlement Strategy indicates the broad directions for urban development in the Maitland LGA over a period of approximately 20 years. In doing so, it is recognised that trends in development and community attitudes change over time and that there will be a need for regular review of the Strategy. However, it is important to take a long-term strategic view to ensure that shorter-term actions are compatible with the desired future for the City.

In terms of rural residential land, the Strategy does not provide release areas over a 20 year period because the sustainability of rural residential development needs to be subject to more frequent review.

PRINCIPLE 4:

Regular monitoring of the Strategy should occur to ensure identified priorities are not being stifled by inaction of landowners.

It is recognised in the Strategy that owners of land within investigation areas may not wish to investigate or develop their priorities in the short to medium term. The Council

will therefore monitor activity within zoned areas and investigation areas and will reconsider the priorities for investigation if key actions (e.g. structure planning) has not been undertaken within a reasonable timeframe.

PRINCIPLE 5:

Further detailed planning and investigation is required for each candidate area.

The Strategy provides a process for more detailed investigation for each of the identified investigation areas in order to determine the extent and type of urban development that is suitable in each location. The boundaries of the investigation areas are based on Council's preliminary review of constraints and they are therefore not definite.

4.2 Key Policies

The following policies provide the basis for the future growth of the Maitland LGA and the identification of land and preparation of guidelines to support this development. These policies are consistent with broader contextual frameworks, including Council's long-term vision, Corporate Plan and state and regional strategies.

4.2.1 Residential Land

Provide an adequate supply of land and sites for residential development

- Maintain a 10 to 15 year supply of zoned residential land.
- Dwelling density and zoning is to be consistent with land use constraints identified from site investigations.
- Plan for 10 to 15 dwellings per hectare in urban release areas by providing a range of housing styles and lot sizes, guided by liveable urban design and efficient infrastructure provision.
- Respond to household and population changes, including ageing population and smaller households, in identifying and planning for new urban development.
- New development must be supported by necessary infrastructure, including utilities, transport, water cycle management, recreation, social and community services.
- Limit urban sprawl by providing for urban development in new or existing areas with good services, infrastructure, public transport and high quality open space.

4.2.2 *Infill development and Urban Consolidation*

Provide a sustainable approach to redevelopment of existing centres and urban areas to accommodate predicated population growth.

- Infill development should comprise 15% of all new dwellings in Maitland. This will be monitored annually and measures to encourage and facilitate infill development will be further investigated.
- Consolidation and redevelopment of centres to be consistent with the identified investigation areas and the stated hierarchy of centres.
- Development, both infill and in centres, must respond to appropriate planning controls and specific design criteria which will be further investigated.
- New development must be of a scale which ensures the character of centres and other infill areas is enhanced.

4.2.3 *Employment land*

Provide suitable commercial sites and employment land in strategic areas

- Maintain a 10 to 15 year supply of zoned employment land.
- Ensure sufficient zoned land and infrastructure provision for employment land, by concentrating activities near areas with existing services that are underutilized or easily expanded.
- A range of employment opportunities are to be provided in Maitland, considering emerging trends in job growth and economic change.
- Centres are to be protected and strengthened with the use of development guidelines and incentives. The hierarchy of centres is to be maintained, but will be subject to review and analysis.
- Encourage employment growth in Central Maitland, whilst maintaining and facilitating specialized civic, educational, medical and entertainment functions.
- Limit retail and commercial development outside Central Maitland and Greenhills.
- Balance the effects of residential development in centres and the potential loss of employment opportunities.
- Facilitate the renewal of employment areas and provide incentives for re-development in appropriate and identified locations.
- Develop guidelines for future business parks in selected areas.

- Concentrate retail activities in centres and identify and strengthen industry clusters.
- Prepare urban design guidelines for mixed used development.

4.3 Maximum Supply Levels

Council's supply and demand analysis has shown that with the rezoning of a number of areas in recent years, the supply of vacant, zoned residential land throughout the LGA is similar. At the higher end, supply levels of residential land in the Central Sector range from 18-24 years; in the Western Sector 14-17 years and the Eastern Sector 8-12 years.

Council will seek to ensure that there is not an excessive oversupply or undersupply of vacant, zoned residential land in any district throughout the course of the Strategy. A maximum 10- 15 years supply of vacant residential land is generally proposed with the following justifications:

- The zoning of too much land ahead of the market removes both Council's and the community's ability to consider new information at or near the time of development;
- Excessive vacant, zoned residential land creates uncertainty for owners of existing zoned residential land, who require a reasonable degree of economic certainty prior to developing new residential land;
- Owners of vacant, zoned, residential land incur considerable costs in holding and maintaining land prior to its development;
- It is difficult to finance and stage the provision of physical and community services to meet demand when uncertainty exists due to excessive amounts of supply; and
- From Council's perspective, the use of Section 94 developer contributions to fund the provision of services is limited by the need for a reasonable timeframe for the provision of those services. Between 5 to 10 years is generally recognised as a reasonable timeframe for the provision of most services funded by Section 94.

It is expected that a 10- 15 year supply will be sufficient to accommodate supply anomalies in individual districts, including areas with artificially slow take-up rates, whilst providing substantial flexibility within each district and the LGA as a whole. However, Council will consider exceptions on their merits in the context of land stocks in the specific sector and for the city.

Council will consider the rate of population growth and development over time, and development lead-in times in any assessment of land to be investigated or zoned for future urban use. Development lead-in time refers to the time taken to investigate, rezone and commence development of a site. In the case of a greenfield sites that must be rezoned to permit urban development the lead-in time is on average two to five years based on the current planning system in NSW.

It is not proposed to set a limit or target on the creation of rural residential land other than to proceed cautiously with the identification of new areas for investigation during the review of this strategy. The major principle for rural residential development in this strategy is that it should only be located where it will comprise the most suitable form of development in the long-term.

Council will monitor the creation of large lot residential development over 2,000m² in size in conjunction with the creation and take-up of 1(c) Rural Small Holdings land and land in the 1(d) Rural Residential zone.

4.4 Broad Planning Objectives for Investigation Areas

A series of broad planning objectives have been devised under the categories of character, environment, infrastructure and design, in order to describe the ways in which new development will work towards the City's vision

CHARACTER

- Reinforce and enhance Maitland's unique physical interrelationship between its urban and rural areas;
- Conserve and strengthen Maitland's built and cultural heritage;
- Consolidate the existing commercial centres hierarchy;
- Ensure that potential conflicts with existing or likely future land uses are minimised, including conflict with rural and extractive industries;
- Facilitate the retention of existing vegetation;
- Encourage the creation of high quality urban landscapes;
- Create a built environment which maintains a human scale;
- Attractive "gateway" points to the City will be created, to promote a sense of arrival.

ENVIRONMENT

- Retain and enhance established flora and fauna corridors;
- Conserve and protect important areas of remnant native bushland and wetlands;
- Ensure that the physical amenity and ecology of waterways are not adversely impacted by new urban development;
- Prevent any further deterioration of water quality and prevent local flooding;
- Minimise soil erosion;
- Encourage design that enhances energy efficiency and the minimisation of waste;
- Mitigate against bushfire;
- Rehabilitate disturbed or degraded areas.
- Utilise environmental assets to create a healthy and safe living environment;
- Enhance Maitland's gateways with natural landscaping.

DESIGN

- Maintain a maximum height limit of three storeys in new urban areas;
- Ensure that the design of urban neighbourhoods facilitate the use of public transport and encourages walking and cycling in safety;
- Neighbourhood focal places and centres to be centrally located at major intersections;
- Increase the catchment population around public transport nodes and commercial centres;
- Smaller residential lots and higher density housing should be located with regard to neighbourhood centres, public transport stops, community facilities and areas with high amenity such as next to parks;
- Design lots so that their orientation and dimensions facilitate the development of energy efficient housing which can take advantage of winter solar access and deflect summer sun;
- Utilise passive open space or environment protection areas to protect and preserve the margins of remnant bushland, wetlands and watercourses;
- Encourage the possibility of utilising public open space for urban water management and to improve water quality;
- Ensure that the design layout of urban neighbourhoods facilitates public transport, cycle ways and pedestrian access to neighbourhood centres, community facilities and active open space;
- Subdivision design should facilitate the use of common trenching for the laying of public utility services including water, sewerage, electricity, gas and modern communication infrastructure.

INFRASTRUCTURE

- Only rezone land for urban purposes where it can be demonstrated that the provision of utility infrastructure is viable and efficient;
- Ensure that any proposed new urban areas are serviceable by public transport i.e. bus and/ or rail;
- Encourage a greater range of lot sizes and increased diversity of housing types in new urban areas than is currently being provided in contemporary residential estates;
- Determine suitable densities, which maximise the achievement of sustainability principles, whilst recognising the character of the area;
- Encourage small scale mixed use development such as home offices and industries in residential areas which will help to achieve ecological sustainability and promote diverse economic activity;
- Ensure that adequate community facilities and areas of active and passive open space are provided for the prospective residents of new urban areas;
- Reinforce the viability of existing rural and extractive industry operations by restricting the proximity of new urban development;
- Minimise impacts on major transport routes and contribute to a local, functional road hierarchy.

5.3.6 Farley Investigation Area

Prior to the development of more detailed planning and progression of rezoning, Council and the community must establish fundamental principles for development in the area and resolve a number of issues in the Investigation Area. Consequently, it is envisaged that the Farley Investigation Area not be approved until after 2011, which is consistent with Council's adopted Land Release Program and the preparation of the new Maitland LEP 2011.

Inclusion of Category 2 Investigation Area

A large area to the immediate south and south-east of the Category 1 Farley Investigation Area has been nominated as a Category 2 Investigation Area under this MUSS 2010 review. This land forms a logical extension to the Farley Investigation Area, and has been assessed as appropriate for further planning investigations to determine suitability for residential purposes. Constraints such as flooding, visual impact, vegetation, access and proximity to the Farley Wastewater Treatment Works have been assessed in a preliminary manner to inform the boundaries of this investigation area. It is considered that all obvious constraints could be further investigated in the future to fully determine the extent of development potential within this investigation area.

Category 2 status is deemed the most appropriate category under the MUSS for this investigation area, given that development would be heavily reliant on infrastructure delivery to the north, and the development of the Category 1 Investigation Area, including road layout and lot layout, would likely influence the pattern of development within the Category 2 Investigation Area in the future. Furthermore, the Category 1 Investigation Area is quite extensive in size and therefore the development of that land would be likely to occur prior to any development within the Category 2 Investigation Area. As such, the timeframe for development within the Category 2 Investigation Area (5-10 years) is considered appropriate.

Physical Description

The Farley Investigation Area has been redefined in the 2007/2008 review of the Settlement Strategy to respond to land constraints, visual setting, and longer term infrastructure and conservation planning. The investigation area covers cleared land north and south of Wollombi Road as shown in *Figure 17 Farley Investigation Area*. It is bounded by the estimated 1% flood event and Wentworth Swamp in the south, vegetation boundaries to the west and the rail line to the north.

The site is approximately 140 hectares that is partly cleared but adjoins large areas of relatively intact vegetation, with potential linkages to Wentworth Swamp and other areas of regionally significant biodiversity values. The long-term conservation of these areas of vegetation is a major priority in this area.

The MUSS review 2010 has included a Category 2 investigation, immediately south of the Category 1 investigation area. It is anticipated that this area may be conducive to urban development in the future, subject to a number of investigations. The Category 2 investigation area forms a logical extension to the Category 1 investigation area, and is impacted by similar constraints (i.e. infrastructure servicing, vegetation, flood, visual impact).

Existing Development

At present, the majority of land holdings are used for low intensity grazing and rural living, with approximately 30 dwellings within the Category 1 Investigation Area. A higher density of dwellings occurs along the western end of Wollombi Road, close to the residential areas of Rutherford and Telarah.

There are remnants of the Farley train station and stone and gravel quarry on the northern boundary of the investigation area. These features should be considered for integration with the future land uses for the Farley area. Similarly, the Ravensfield quarry and its importance to the architectural and industrial heritage of Maitland should be identified and conserved through any land use change in the Investigation Area.

Hunter Water Corporation operates a wastewater treatment plant south of the Investigation Area. Consideration has been given for adequate buffer from the WWTP. This will be more important for the Category 2 investigation area, given the proximity of the Farley WWTW to the southern boundary of the site.

Visual Impact

The visual impact of development on surrounding areas will need to be addressed along with the bushfire hazard for any new development. Design solutions may include buffers and the clustering of dwellings in locations of lower impact. Structure planning for the Investigation Area is encouraged to determine development outcomes, in consultation with the local community.

The Category 2 investigation area is set in the mid region topography of land undulating to Wentworth Swamp. While some areas within this investigation are likely to be shielded from areas beyond Wentworth Swamp to the south of the site, visual impact is likely to be significant.

Access

Wollombi Road is an arterial route between Maitland and Kurri Kurri/ Weston. Together with Old North Road and a possible future route south of Telarah, investigations have commenced into the use of Wollombi Road as a southern Maitland by-pass to relieve congestion on the New England Highway. Further assessment is required to determine the viability of a by-pass route and any studies in the Farley Investigation Area should be cognisant and consistent with Council's long-term Integrated Land Use and Transport Study 2010.

Ravensfield Lane, Owl Pen Lane and Quarry Road are of variable quality and are all cut by flooding in a 1% AEP flood, with several dwellings isolated during flood events. Suitability of access and emergency evacuation will need to be ascertained for these local roads, as well as future connections to the Category 2 Investigation Area.

A rail underpass south of the Investigation Area should be investigated as part of the studies for transport and access. Pedestrian and cyclist routes in this area should be identified and planned for.

Environmental

The Investigation Area is located in a catchment above the Wentworth Swamp. Impact on this regionally significant wetland should be considered as part of any further investigations for the site. Other vegetation corridors to the north (across the

rail line into Rutherford Industrial Estate) and to the west (into the industrial buffer), need to be considered and planned for in future land use outcomes for the investigation area. Bushfire hazard reduction should not impact on the biodiversity of the Farley area.

Infrastructure

Consideration must be given to establishing the required lot yields in order to warrant the level of infrastructure expenditure required. This may include investigating the overall development footprint, lot densities and total lots required. Augmentation of utility infrastructure will be necessary to support new residential development. Appropriate infrastructure sequencing for the entire Farley Investigation Area (i.e. both Category 1 & 2 sites) should be investigated and future development patterns should be consistent with infrastructure delivery.

Services are currently available in Wollombi Road, or in the instance of sewerage, from the Farley WWTP. The recent approval of the Maitland to Minimbah Third Rail Track project will require additional investigation into the impacts of noise and vibration on the Investigation Area, since rail movements are proposed to increase significantly and the rail corridor adjoins the northern boundary of the site.



FARLEY INVESTIGATION AREA



Scale 1 : 25 000
Printing Date: June 2011

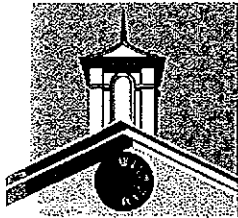


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-  Category 1 - Residential
-  Category 2 - Residential

This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland

Appendix FIVE
Minister's Approval & Council Submission –
Maitland to Minimbah Third Track



MAITLAND CITY COUNCIL

Our Ref. RZ08002 (750810)

Your Ref.

Phone Enquiries: 4934 9700

07 July 2010

Director, Major Infrastructure Projects
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001
Attn: Mr Mark Turner - Major Infrastructure Assessment

Dear Mr Turner

**RE: SUBMISSION – MAITLAND TO MINIMBAH THIRD TRACK PROJECT
(REF: MP 09_0024)**

We write to you in relation to the Maitland to Minimbah Third Track project which is currently on public exhibition for comment. The Environmental Assessment (EA) explains that the project involves approximately 30km of new railway track adjacent to the existing Main Northern Railway Line corridor. A substantial portion of the proposed railway track will be located in rural areas outside the Maitland LGA, with limited impacts on residential receivers. However, the proximity to residential receivers for much of the proposed track within the Maitland LGA has caused some significant concerns for Council and its residents. Council's role in this submission is to identify the likely impacts from the project, with particular regard to existing and planned residential areas, and Council's assets and infrastructure.

Council formally submits the following information concerning the potential impacts of the proposed Maitland to Minimbah Third Track on Council's proposed urban release areas (as per the Lower Hunter Regional Strategy 2006 and the Maitland Urban Settlement Strategy 2008), existing urban areas, and Council's existing and proposed infrastructure and assets. The information has been summarised into point form, with the specific localities identified that are likely to be most affected by the proposal.

Assets & Infrastructure Matters

General

The project should take into account any impacts on Council's road drainage system and culvert structures that are adjacent to the works, and ensure that the Third Track does not interfere with current flows. Any crossing points should be

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upgraded to accommodate peak stormwater flows. Pedestrian and cyclist facilities should be upgraded to meet (at a minimum) current demand, and future predicted growth.

Lochinvar

- Modifications are proposed to the existing Lochinvar Railway Station which are proposed to improve access to the station, and maximise the functionality and amenity of this facility. The EA (p. 465) states that access is to remain to the existing railway station during construction of the upgrades. Council supports access being retained to this facility during the construction of the project.
- The EA identifies a proposed site compound within the southern extent of the site which is to be utilised during the construction period. Council would like to understand the long term intentions, and implications, for land use in this part of the site.
- The EA states that Station Lane will cross the Main Northern Railway at a grade separated overbridge approximately 200 metres west of the existing level crossing within Station Lane, and that the proposed overbridge will replace the existing level crossing. This is likely to improve safety and will eliminate waiting times for vehicles travelling between Station Lane and Old North Road. The overbridge is expected to be completed prior to construction commencing on the proposed Third Track project. Council supports the construction of a new rail overbridge given the likely improvements to safety and reduced waiting times for the travelling public.
- The EA has highlighted that the capacity of the Station Lane/ New England Highway (NEH) intersection is currently operating near capacity. The EA states that vehicle trips generated during the construction phase of the project, particularly given that a primary site compound will be established at the southern end of Station Lane, will place this intersection beyond capacity. Given the indicative timeframes for construction of the project, this is an important consideration when planning for the rezoning and potential future development within Lochinvar, in addition to consideration for the existing residents in the locality.
- The EA (p. 276) states that additional traffic entering or exiting the NEH to the construction corridor would increase conflict opportunities on the NEH in the vicinity of the construction works. Council understands that this is expected to be managed by appropriate implementation of traffic safety signals or other means within the locality. Council would appreciate further discussion about this matter as more detail emerges regarding the project. It would be advised that the RTA are consulted in regards to this matter since the NEH is managed by the RTA.

Farley

- The EA does not indicate that the proponent will upgrade the existing railway underbridge at Wollombi Road, however, a new rail underbridge is proposed immediately north which is significantly wider than the existing rail underbridge at Farley. It appears that the existing rail underbridge will need to be widened and the road alignment will need to change to accommodate the new rail underbridge. The project has been proposed by ARTC and Council deems that as part of the project the existing Wollombi Road underbridge should be widened, in line with the dimensions of the new underbridge proposed, to allow for appropriate road alignment and consistency of vehicular passage at this point along the rail corridor. Furthermore, pedestrian and cyclist access should also be provided in association with this upgrade, since the safety of pedestrians and cyclists has been a historical concern in this location.
- There are likely to be significant and lengthy impacts on the local road network within Farley during the construction phase of the project, including spillover effects from traffic at the intersection of NEH and Wollombi Road. The EA proposes traffic management methods to mitigate impacts on traffic flow and road safety resulting from the construction phase of the project.
- The EA identifies a proposed site compound adjoining the site which is to be utilised during the construction period, and potentially, this area may continue to be utilised post-construction for rail operations. Council would appreciate further discussion with the proponent to understand the long term intentions, and implications, for land use in this part of the site.
- The EA has highlighted that intersection capacities are already operating beyond capacity in the locality, particularly the intersection of the NEH and Wollombi Road. This will place these intersections over capacity during the construction phase of the project. Given the indicative timeframes for construction of the project, this is an important consideration when planning for the rezoning and potential future development within Farley.

Strategic Planning Matters

The proposal will impact land adjoining the rail corridor within the Maitland LGA, including three investigation areas proposed for future urban development – Lochinvar, Farley and Rutherford Industrial. The points below outline the likely impacts of the project on these urban release areas, which have been planned for some time and currently accommodate existing residential dwellings (Lochinvar and Farley). Substantial work has been undertaken in planning for these areas, including identification of the sites in the Lower Hunter Regional Strategy 2006 (Lochinvar and Farley) and the Maitland Urban Settlement Strategy 2008, and it would be inappropriate and would not be in the public interest if this was overlooked. Included with this submission are extracts from the MUSS 2008 which

detail the extent of each investigation area. The potential impacts on each of the investigation areas from the proposal is obvious when observing the proximity of each site to the existing rail corridor.

Lochinvar Investigation Area

Upon review of the EA for this major project, the following issues are raised as significant matters relating to the Lochinvar Investigation Area:

- The EA fails to appropriately consider the future extent of urban development (particularly for residential, community, public and recreational purposes) within the Lochinvar Investigation Area. The Lochinvar Investigation Area is identified in Figure 14.1i of the EA. Reference is made in the EA (p. 242) to the Lochinvar Structure Plan 2007 (LSP 2007) and the Maitland Urban Settlement Strategy 2008 (MUSS 2008). While the EA (p. 423) states that *"The Lower Hunter Regional Strategy (Department of Planning 2006) and subsequent local planning initiatives have identified various locations within the local study area as priority areas to accommodate regional population growth"*, no reference is made to the Lochinvar Investigation Area being identified in the Lower Hunter Regional Strategy 2006 as a 'proposed urban area' and 'major release site' potentially accommodating 5,000 lots (LHRS 2006 p. 12-13, p. 25). It should be noted that the LSP 2007 was partially funded by the NSW Department of Planning and was adopted by Council in October 2007. Detailed studies informed the LSP 2007, while environmental studies have been undertaken for the rezoning of the Lochinvar Investigation Area as part of rezoning proposals submitted for the site, which date back to 2007. As evidenced above, detailed investigations have occurred to date regarding the rezoning of the site, and furthermore, these investigations were undertaken well before the Maitland to Minimbah Third Railway Track was a consideration. This substantial planning work should be considered in the context of what is now being proposed for the Third Track project, particularly when planning for noise attenuation along the rail corridor.
- The rail corridor exists in close proximity to residential receivers (both existing and proposed), and the associated effects of noise and vibration will need to be attenuated to an acceptable standard. The EA fails to provide sufficient details of proposed noise and vibration attenuation methods. Council and existing residents need to have a level of comfort that noise and vibration can be adequately attenuated, particularly given the potential increase in residents resulting from future urban development within the site.
- Clifton House will be subject to significantly increased impacts from noise and vibration given the acquisition of a strip of this site to accommodate the project. The building is a locally significant heritage item located to the immediate south of the rail corridor. The EA (p. 160, p. 362) specifically identifies Clifton House as a vibration receiver, stating that vibration control needs to be considered for Clifton House, given its proximity to the rail

corridor. According to the EA (p. 352), there is a risk that increased noise and vibration will result in exceeded human comfort levels where dwellings currently exist within 40m of the rail corridor. Figure 17.3i in the EA clearly illustrates that noise impacts will exceed human comfort levels at the location of Clifton House. This also has significant effects for future urban development immediately north of the rail corridor, within the Lochinvar Investigation Area.

- The EA explains that air quality receptors are identified as areas within 500m of the rail corridor, with a focus maintained on those that exist within 100m of the rail corridor. The Lochinvar Investigation Area is therefore a key sensitive receptor to be considered as part of this project, yet the EA (p. 286) does not list it as such. It should be noted that Farley (also a Category 1 investigation area under the MUSS 2008) is listed, along with Rutherford and Telarah (existing residential areas). It appears that insufficient weight has been applied to the anticipated effects of air quality on future residents within the Lochinvar Investigation Area, which, as discussed above, has been planned for some time.
- There are likely to be some noise and vibration effects from ground blasting in proximity to the Lochinvar Investigation Area during construction of the project. Consideration should be given to existing residences and future urban development in relation to how blasting may possibly affect existing and proposed residences and associated structures (especially those with heritage significance), as well as public assets and infrastructure, within the Lochinvar Investigation Area.
- The visual sensitivity of the Lochinvar Investigation Area means that future noise attenuation methods will need to consider the prominence of the site and the visual impact upon existing and future residences within the site. Unsightly structures adjoining the rail corridor are not considered appropriate, particularly given the proximity to Clifton House. In this regard, amelioration measures to mitigate the impacts of noise and vibration should be sympathetic to the landscape, such as earthen mounds, vegetation or a combination of 'soft' methods. These will require careful consideration by a suitably qualified heritage consultant/designer to ensure that impacts on Clifton House are minimised. However, Council would consider that where there is no other feasible or logical alternative to limit the impacts of noise and vibration generated by operations within the rail corridor, appropriate barriers should be constructed and their visual impact should be softened by appropriate landscaping.

Farley Investigation Area

Upon review of the Environmental Assessment for this major project, the following issues are raised as significant matters relating to the Farley Investigation Area:

- The rail corridor exists in close proximity to residential receivers (both existing and proposed), and the associated effects of noise and vibration

will need to be attenuated to an acceptable standard. The EA fails to provide sufficient details of proposed noise and vibration attenuation methods. Council and existing residents need to have a level of comfort that noise and vibration can be adequately attenuated, particularly given the potential increase in residents resulting from future urban development within the site. Several dwellings currently exist in close proximity to the rail corridor, some within 40m (i.e. noise and vibration will exceed human comfort levels in these locations, as per the outcomes of the EA), therefore details of attenuation methods are imperative for these landowners to have an understanding of the likely impacts on their properties and assets. Council would also like to confirm the type of measures proposed, in order to determine the likely impact on assets such as roads and other associated infrastructure.

- The proposal will likely impact on heritage items such as the former Farley Railway Station precinct and the existing Wollombi Road railway underbridge. Consideration should be given to the amelioration of impacts on such items as part of the project, particularly in regards to vibration and methods to mitigate against structural damage.
- The EA states that groundwater adjoining Wollombi Road will temporarily be lowered during construction of the project. Council explicitly states that such impacts should be monitored closely in order to ensure that temporary lowering of groundwater does not promote Acid Sulfate Soils or salinity.
- The visual sensitivity of the site, particularly from the south, means that future noise attenuation methods will need to consider the prominence of the Farley Investigation Area and the visual impact upon potential future residences within the site. Council would consider that where there is no other feasible or logical alternative to limit the impacts of noise and vibration generated by operations within the rail corridor, appropriate barriers should be constructed and be softened by appropriate landscaping.
- The EA acknowledges proposed urban areas adjacent to the rail corridor, including Heritage Green, and the Rutherford Industrial Area (both north of the rail corridor), but does not directly acknowledge the Farley Investigation Area and its potential to accommodate residential development in the future. It should be noted that the LHRs 2006 (p. 12-13) identifies the Farley Investigation Area as a 'Proposed Urban Area', while the Maitland Urban Settlement Strategy 2008 identifies the Farley Investigation Area as a Category 1 site, which indicates an estimated development timeframe of 0-5 years. Given this, much more emphasis should be given to the potential of the Farley Investigation Area to accommodate urban development in the future, since it is not considered to any extent in the EA for the project.
- The EA explains that air quality receptors are identified as areas within 500m of the rail corridor, with a focus on those that exist within 100m of the

rail corridor. As stated in the EA (p. 286), Farley is a key sensitive receptor to be considered as part of this project. While there is no mention specifically of the Farley Investigation Area, the site is located within the locality of Farley, and within 500m of the rail corridor, therefore the site is a key sensitive receptor to be considered as part of the EA.

- There are likely to be some noise and vibration effects from ground blasting in proximity to the Farley Investigation Area during construction of the project. Consideration should be given to existing residences and future urban development in relation to how blasting may possibly affect existing and proposed residences, and other buildings (especially those with heritage significance), within the Farley Investigation Area.

Existing Urban Areas

The proposal will impact existing urban allotments adjoining the rail corridor within the Maitland LGA, namely Telarah and Rutherford. The points below outline the likely impacts of the project on these existing urban allotments. Council understands that where noise thresholds are exceeded as a result of the project, existing landowners would be eligible to have housing elements retrofitted to ensure that human comfort levels are not exceeded from the additional impacts of the proposed Third Track. This type of arrangement would be encouraged, considering it is impractical for the proponent to acquire all land that is impacted by the proposal, and that construction measures can possibly mitigate a substantial extent of the likely impacts in any case.

Telarah

- As outlined above for the localities of Lochinvar and Farley, details of noise and vibration attenuation methods should be provided to inform the community of the likely structures that are to be provided to minimise noise and vibration impacts adjoining the rail corridor in the vicinity of Telarah. Appropriate attenuation measures need to be implemented to ensure that human comfort levels are not be exceeded as a result of increased noise and vibration generated from the expansion of the rail corridor. Where human comfort levels are exceeded, it is expected that the proponent will appropriately retrofit existing dwellings to ensure that residents are not impacted to a level that is unreasonable or unacceptable.
- The majority of Council's concerns relating to impacts on the locality of Telarah are consistent with the issues raised for the localities of Lochinvar and Farley, as stated earlier in this submission. The locality of Telarah is obviously an existing urbanised area and significant consideration should be given to existing residents adjoining the rail corridor to ensure that human comfort levels are not exceeded either during construction from the project, or from operations along the rail corridor once the project is completed.

Rutherford

- As stated above for the locality of Telarah, details of noise and vibration attenuation methods should be provided to inform the community of the likely structures that are to be provided to minimise noise and vibration impacts adjoining the rail corridor in the vicinity of Rutherford. Appropriate attenuation measures need to be implemented to ensure that human comfort levels are not be exceeded as a result of increased noise and vibration generated from the expansion of the rail corridor.
- Given the extent of existing and future proposed industrial land within Rutherford, the proponent should consider the impacts of the project on the land uses associated with industrial areas and any anticipated effects on these as a result of the project. Such effects may include operational noise levels, appropriate attenuation at the interface of industrial land, stormwater management and air quality. This is particularly important given the proximity to residential areas within Rutherford. The combination of increased rail movements with existing (and potential for future) industrial land within close proximity to residential development means that existing residential receivers (and potentially those associated with the Heritage Green site – subject to Council approval) are likely to be impacted significantly by the project within the locality of Rutherford.

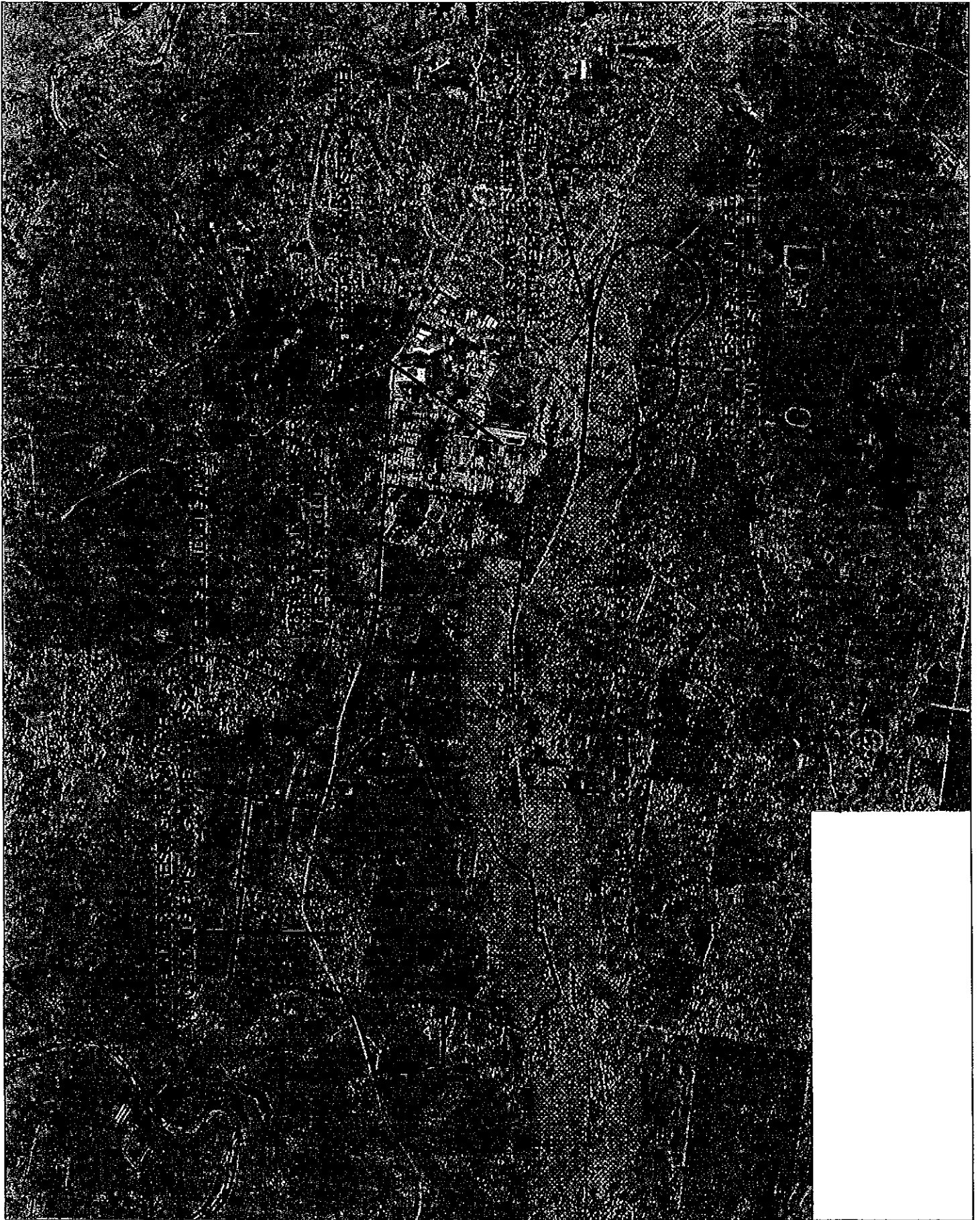
We trust that the submission clearly illustrates Council's concerns in relation to the Maitland to Minimbah Third Track project. Given the widening of the rail corridor proposed, along with a corresponding increase in rail movements, the project is likely to negatively impact the quality of life of a number of existing residents, and potentially many future residents within Council's planned urban release areas. The proponent is encouraged to contact Council for any information that would assist with the project, including discussions relating to Council's assets or planned urban release areas.

If you require any additional information from Council in relation to this project please contact Mr Josh Ford from the City Strategy department on (02) 4934 9700.

Yours faithfully



JOSH FORD
STRATEGIC TOWN PLANNER



5.5.5 Lochinvar Investigation Area

Physical Description

The Lochinvar Investigation Area builds on the existing village of Lochinvar, as shown in *Figure 18 Lochinvar Investigation Area*. This area has been identified in the Lower Hunter Regional Strategy as a major urban release site, to be developed over the next 20 years.

Constraints and opportunities for the Lochinvar Investigation Area have been considered in consultation with the Lochinvar community through the preparation of the Lochinvar Structure Plan.

Lochinvar Structure Plan

With financial assistance from the Department of Planning, Council has prepared a broad strategic plan for the Lochinvar area, known as the ***Lochinvar Structure Plan***. The Structure Plan aims to consider and address matters including village structure and operation, such as desirable land uses, transport and access, and infrastructure and services including water and sewer servicing, commercial developments, emergency and community services.

The Investigation Area adjoins the village of Lochinvar but is otherwise developed with rural residences on farms and small-holdings.

The site is extensively cleared and is gently undulating, with limited significance from an agricultural perspective. The area contains a number of culturally significant features, local and regional heritage listed items, and is characterised by the visual setting and approaches into the village and landscape plantings associated with the civic buildings.

At present, the village of Lochinvar does not offer the range of local services which would be required if the population in the area were to increase significantly. Preliminary investigations and consultation has identified the need and opportunities for service provision. Detailed investigations (infrastructure and staging plan) are required to ensure adequate services and facilities are provided to meet the needs of the future residents at each stage of development.

The long-term relationship of lands surrounding the Investigation Area and the Lochinvar locality to the surrounding areas has also been considered, including Winders Lane, Old North Rd, and along the New England Highway west of the Lochinvar township. These areas have been identified as 'preliminary investigation areas' requiring more detailed studies and planning assessment to ascertain future development opportunities and limitations.

Access

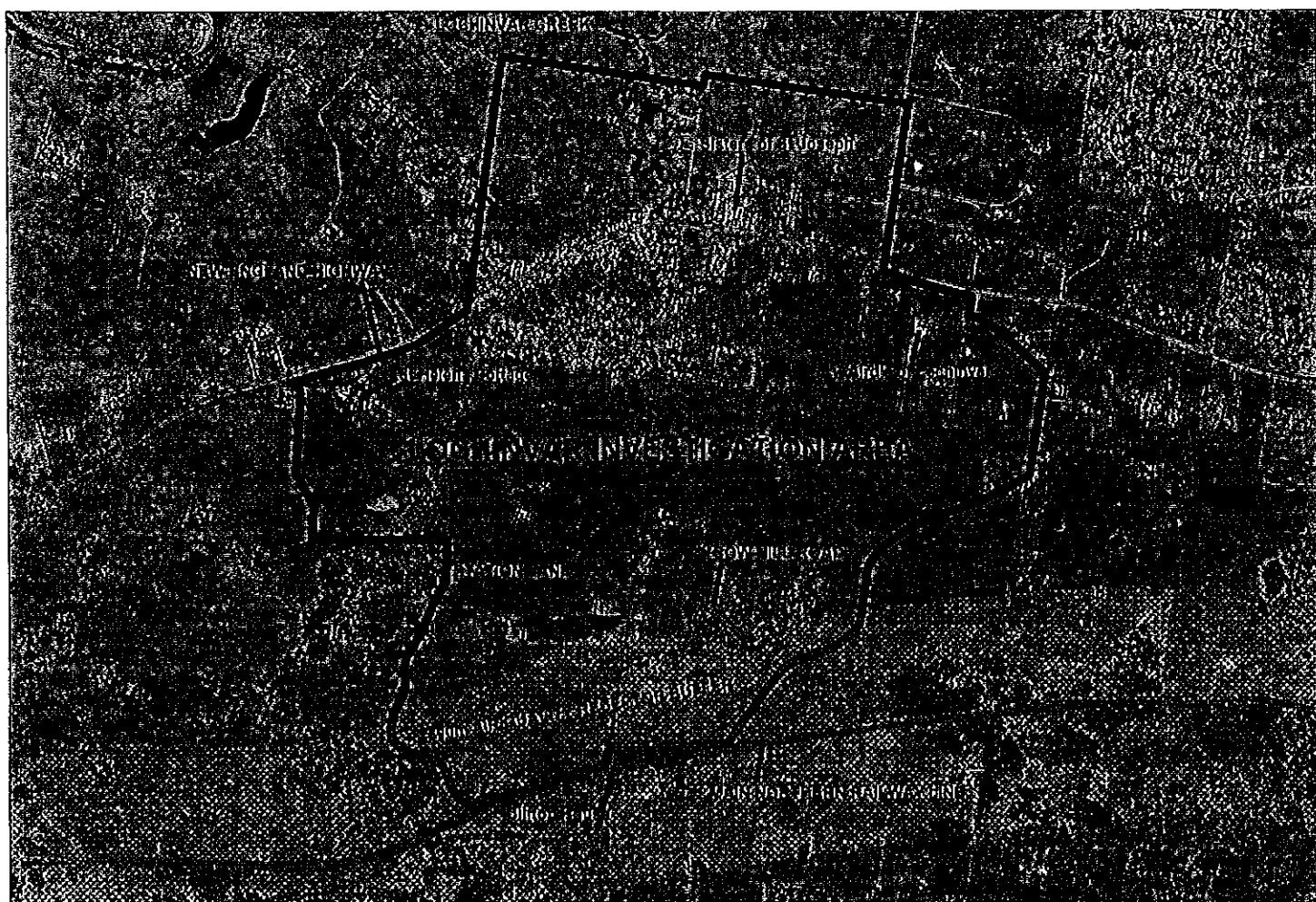
The primary access to the Investigation Area is from the New England Highway. The standard of access to the highway will therefore be a key consideration in future investigations. All access points with existing development in Lochinvar will need to be considered.

Conclusion

Following extensive consultation with the local community the Lochinvar Structure Plan was adopted by Council in October 2007. The implementation of the Plan requires a number of further investigations to progress, prior to the consideration of any future land release areas. The recommendations include the preparation of the following:

1. Traffic study and transportation strategy;
2. Urban Design Study incorporating design principles for each precinct;
3. Continued consultation with government agencies responsible for infrastructure provision;
4. Ongoing community consultation;
5. Rural Lands Strategy review for the western part of the LGA;
6. Review of heritage items in rural areas to ensure the identification and protection of buildings, items and their carillages.

Three (3) sites have been identified which require individual masterplanning to determine their future land use capabilities, in addition to the progression of the required studies. The design and development of site specific locations and any additional studies necessary to enable the development of individual precincts to occur will continue to be prepared in accordance with Council's Local Environmental Study protocol and subject to private developer funding.



5.5.8 Farley Investigation Area

The Farley area has been included as Category 1 Land (*Cnl resolution 10 Nov 2009*). Prior to the development of more detailed planning and progression of rezoning, Council and the community must establish the fundamental principles for development in the area and resolve a number of issues in the Investigation Area. Consequently, it is envisaged that the Farley Investigation Area not be approved till after 2011 which is consistent with Council's adopted Land Release Program and the preparation of the new Maitland LEP 2011.

Physical Description

The Farley Investigation Area has been redefined in the 2007/2008 review of the Settlement Strategy to respond to the land constraints, visual setting, and longer term infrastructure and conservation planning. The investigation area covers cleared land north and south of Wollombi Road as shown in *Figure 21 Farley Investigation Area*. It is bounded by the estimated 1% flood event and Wentworth Swamp in the south, vegetation boundaries to the west and the rail line to the north.

The site is approximately 140 hectares that is partly cleared but adjoins large areas of relatively intact vegetation, with potential linkages to Wentworth Swamp and other areas of regionally significant biodiversity values. The long-term conservation of these areas of vegetation is a major priority in this area.

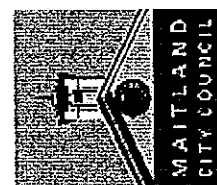
Existing Development

At present, the majority of land holdings are used for low intensity grazing and rural living, with approximately 30 dwellings within the Preliminary Investigation Area. A higher density of dwellings occurs along the western end of Wollombi Road, close to the residential areas of Rutherford and Telarah.

There are remnants of the Farley train station and stone and gravel quarry on the northern boundary of the investigation area. These features should be considered for integration with the future land uses for the Farley area. Similarly, the Ravensfield



FARLEY INVESTIGATION AREA



Scale 1 : 25 000
Printing Date: November 2003



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 Category 1 - Residential

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5.5.12 Rutherford Industrial Investigation Area

Physical Description

The Rutherford Industrial Investigation Area is bounded by the railway line in the south, by properties fronting Winders Lane in the west, by the existing Rutherford Industrial Estate in the east and the New England Highway to the north, as shown in *Figure 25 Rutherford Industrial Investigation Area*. Land to the north of the New England Highway previously described as Category 1 Industrial land, in the MUSS, has been rezoned to 4(b) Light Industrial and 7(c) Environmental Protection in May 2007.

Existing Development

To the south of the Highway, the Investigation Area contains a few existing dwellings with frontage to the New England Highway. The Investigation Area also adjoins dwellings with frontage to Winders Lane and the New England Hwy. These dwellings are situated above the site and any future industrial development will therefore be visible from the dwellings. Potential impacts such as noise, lighting and odour will also need to be considered.

The future of existing uses on Kyle Street, including local motorcycle clubs and the stock saleyards will need to be considered in the context of future industrial development as well as access and environmental outcomes for the area.

Access

Access points to the New England Highway will need to be limited and should not include direct access to industrial buildings. The standard of the New England Highway will also be a key consideration.

Access between the existing industrial estate and new industrial development will need to be considered to avoid the need for traffic to re-enter the New England Hwy on local trips.

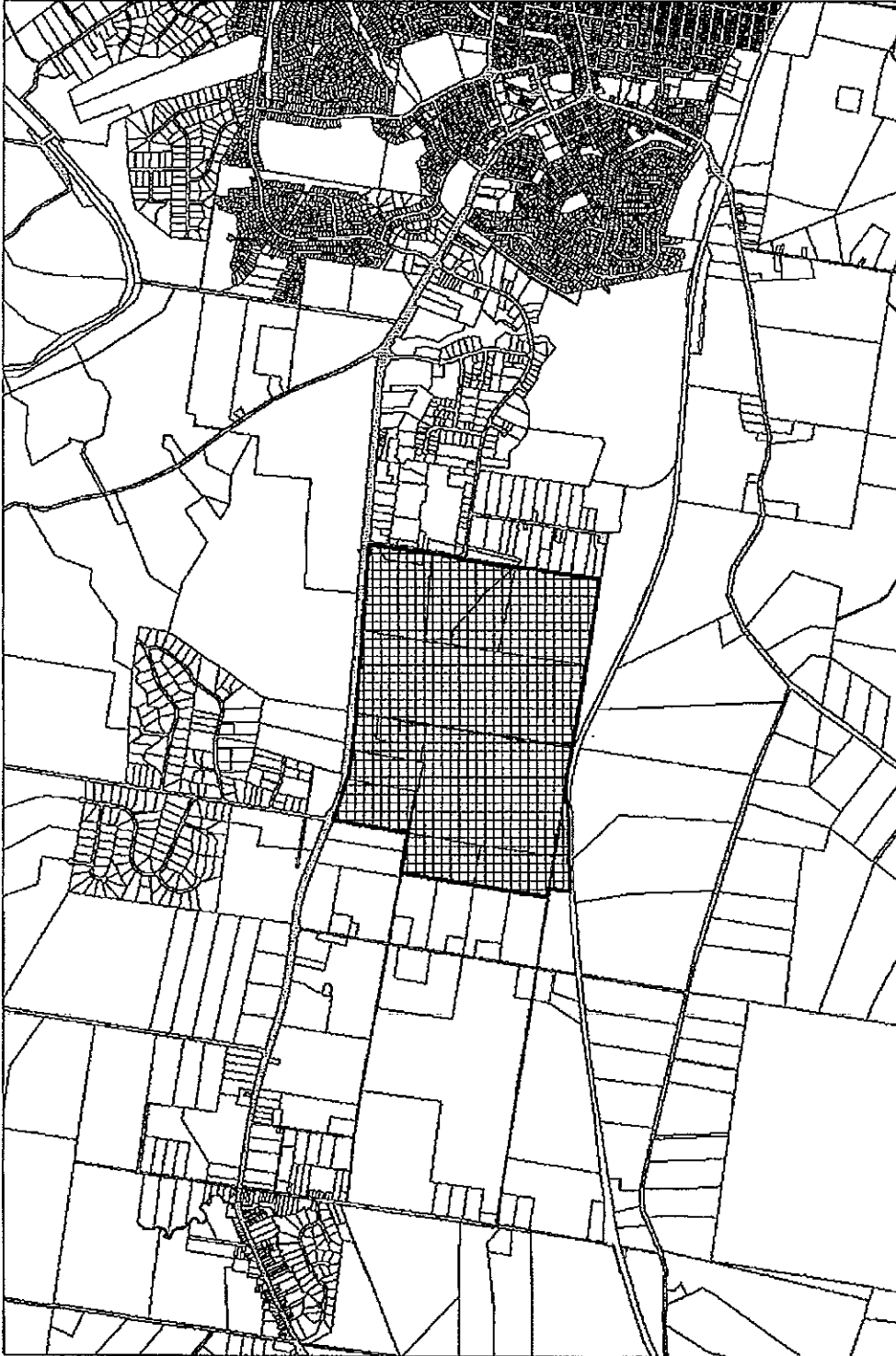
Visual Impact

Industrial land occurs on both sides of the highway at one of the major gateway entries to the City. It is therefore imperative that the visual impact of development in the area is coordinated and designed so as to present a positive image of the City.

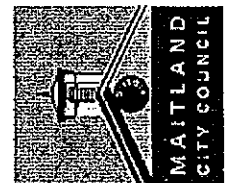
The design of a new visual gateway should also consider potential to incorporate compatible improvements for existing development in the existing Rutherford Industrial Estate, road edge landscape buffers and vegetation corridors separating landuses.

Environmental

A local catchment analysis will be required, including assessment of the potential for impacts on water quality and quantity and land degradation issues such as salinity and acid sulphate soils. Impacts on native flora and fauna will also need to be assessed. This includes an area of Hunter Lowland Redgum Forest, an endangered



RUTHERFORD INDUSTRIAL INVESTIGATION



Scale 1 : 40 000
Printing Date: November 2008



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Category 1 - Industrial

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Appendix SIX

ACECS 2010 Extracts

Activity Centre and Employment Cluster Typology

Defining a typology of centres and clusters is critical to understanding its function, role and place within the established network and hierarchy of activity centres and employment clusters in Maitland. This section provides an explanation of the types of activity centres, range employment clusters and specific types of retailing which exist in the Maitland LGA.

ACTIVITY CENTRES

Activity centres are the local and regional hub for community activity. They are places providing a diverse mix of activities where people can socialise, shop, work, meet, relax and often live. Activity centres range in size, scale and development intensity from a neighbourhood centre, like Largs or Tenambit through to a major regional centre, like Central Maitland. Activity centres are usually well-served by public transport, offering a highly accessible location for commercial, personal and retail services, community, entertainment and recreational facilities as well as a mix of housing options to attract for a diverse population.

Major Regional Centre:

This activity centre is the community, cultural, civic and commercial heart of a sub-region and is the highest order activity centre for the LGA. It provides a diverse mix of uses which cater to the needs of the local and regional population in a location serviced by high levels of accessibility and where different modes of public transport interconnect.

A significant concentration of commercial offices, higher order comparison retailing and convenience shopping, employment, health and professional services are located within the Major Regional Centre. A range of entertainment, community, leisure and recreational services, along with local and regional educational, arts and cultural facilities are also offered in this activity centre. The Major Regional Centre is also the preferred location for civic functions, facilities and other government departments.

The inclusion of higher density residential development adds to the social diversity and mix of uses. It's inclusion creates a lively neighbourhood with high accessibility to public transport, facilities and services, supports activity outside 'business hours' and supports a thriving evening economy and vibrant activity centre.

Town Centre:

This activity centre is the community and commercial heart of a specific area within the LGA. Town centres provide a mix of uses in a highly accessible location which accommodates the needs of the local population within a specific segment. An indicative scale of this centre typology can range from between 80 and 150 establishments.

A Town Centre offers a range of convenience shopping and comparison retailing, health and professional services and commercial offices. It may also contain community and recreational facilities along with local educational institution. The location of restaurants and cafés, mixed with higher density residential development, provides a diverse range of activities, a strong local economy and supports activity outside 'business hours', which create a lively place to meet, socialise and live.

Local Centre:

This activity centre is the heart of a specific location. The function of a local centre is primarily to provide for the daily needs of the local residential population within a specific catchment located in close proximity. Residential development through shop top housing provides an alternative housing option in a accessible location and adds to the diversity of uses in this activity centre.

A Local Centre offers a range of convenience shopping with limited comparison retailing, local health and professional services along with a café, restaurant and/or takeaway establishment. A Local Centre may also contain local community facilities and can be characterised by a scale of between 4 and 12 establishments.

Neighbourhood Centres:

This activity centre is integrated within a residential neighbourhood to improve the walkability, provide for the convenience needs and create a place with a strong identity for the surrounding community. The scale of this activity centre is characterised by a small cluster of shops with the primary aim of providing convenience services and encourages a reduction in car use for short trips.

EMPLOYMENT CLUSTERS

Employment clusters provide an accessible location to accommodate a range of industries, bulky goods retailing and business activities. Employment clusters are usually located outside of activity centres however, due to the size, activity or

potential impact of the activity, it may be inappropriate for the particular industry or business use to be located within an activity centre. They range in size and intensity but all have a common aim to provide employment generating activities to encourage growth in the local economy and provide job opportunities to cater for a range of skills and qualifications.

Bulky Goods Retailing:

A large, stand alone store or a cluster of similar sized stores which are typically referred to as a 'homemaker's centre' and are usually located at the edge of or outside of existing activity centres. The types of goods sold within these stores varies widely from furniture, white goods and electronics to automotive parts and building supplies, however the defining feature is that the goods are 'bulky' in nature and can not generally be carried away without the use of a vehicle

Industrial Activities:

A range of business types including manufacturing, storage, warehousing, transport, engineering and general trades such as mechanics usually removed from activity centres and other locations where a sensitive interface is required.

Business Areas:

A concentrated cluster of similar business enterprises usually located outside of existing activity centres. These concentrations offer a range of business types including research and development, education campuses, storage, warehousing and logistics, office-based businesses and high tech industries. In some cases, businesses choose to co-located with others due to the similar type of industry or activity they are engaged in.

RETAIL TYPOLOGIES

Convenience Shopping:

The provision of everyday, essential items and services including food, drinks, newspapers and magazines as well as postal services and banking services.

Comparison Retailing:

The provision of items not obtained on a daily or frequent basis. These include items such as clothing, footwear, health and beauty, household and recreational goods.

Neighbourhood Shop:

A single shop located within a residential area or in other areas outside of activity centres and employment clusters, providing a convenience shopping function to the immediate residents. Areas for neighbourhood shops are not defined in this strategy as they are a single shop located within residential areas or as a result of an existing use.

Stand Alone Shopping Centre:

In line with the LHRs, a Stand Alone Shopping Centre is defined as being a privately owned freestanding format located away from other activity centres. Stand Alone Shopping Centres provide a focused retailing function in an enclosed format with associated car parking on a single site.

Planning Policy Context

The planning for future growth of activity centres and employment clusters is guided by a variety of state and local government's strategies and policies. The strategies and policies, as outlined below, provide the policy context for the preparation of this strategy to accommodate future growth of Maitland's activity centres and employment clusters.

DRAFT CENTRES POLICY *(NSW Department of Planning: April 2009)*

The NSW Government's *'Draft Centres Policy – Planning for Retail and commercial Development'* sets out the Department's (DoP) desired approach to the development of centres with a particular focus on retail and commercial activities. The aim of this policy is to *'create a network of vital and vibrant centres that cater for the needs of business, and are places where individuals and families want to live work and shop'* (DoP 2009: ii).

The principles of the Department's draft Centres Policy include:

- Retail and commercial activity should be located in centres to ensure the most efficient use of transport and other infrastructure, proximity to labour markets and to improve the amenity and liveability of those centres;
- The growth of centres and the creation of new centres are to be supported by

a flexible planning system, which should regulate the location and scale of development. While the market is best placed to determine the need for retail and commercial development;

- Planning should support a wide range of retail and commercial activities, ensuring a competitive retail and commercial market and that there is available floorspace to accommodate market demand, help facilitate new entrants into the market and promote competition; and
- Retail and commercial development should be well designed and contribute to the amenity, accessibility and sustainability of centres.

LOWER HUNTER REGIONAL STRATEGY (NSW Department of Planning: October 2006)

The Lower Hunter Regional Strategy (LHRS) sets a collective future direction for the local authorities in the Lower Hunter (Newcastle, Maitland, Lake Macquarie, Port Stephens and Cessnock) to 2031. The vision for the Lower Hunter is articulated through a number of strategies, which includes growth of residential development, employment and the regional economy. Along with a range of infrastructure investment priorities, to accommodate the region's projected housing and employment needs for the next 25 years.

Within its framework of centres and corridors, the LHRS identifies Central Maitland as a 'Major Regional Centre' along with Thornton, East Maitland, Rutherford and Lochinvar as 'Town Centres'. Greenhills, is identified as 'Stand Alone Shopping Centres' in the LHRS, recognising the significant retail offer concentrated in this location.

Of particular relevance to the Maitland LGA and for this strategy, the LHRS seeks to achieve:

- Strong and vibrant centres through a local hierarchy of centres framework which supports the order established within the LHRS;
- An additional 3,200 new jobs and 1,300 new dwellings within Centre Maitland, a Major Regional Centre by 2031;

- An additional 1,500 new jobs created at Greenhills by 2031; and
- 26,500 additional new dwellings within the Maitland LGA equating to an additional 55,650 new residents by 2031.

MAITLAND URBAN SETTLEMENT STRATEGY 2001-2021 (Maitland City Council: reviewed 2008)

The Maitland Urban Settlement Strategy (MUSS) 2001-2021 provides a framework for the long term urban growth in the Maitland LGA. The primary focus of the MUSS is investigation, sequencing and management of land release for residential and to a lesser extent commercial and industrial land uses.

The overarching principle outlined in the MUSS for employment land is to "provide suitable commercial sites and employment land in strategic areas". The adopted key policy directions to achieve this include:

- Concentrate retail activities in centres and identify and strengthen industry clusters;
- A range of employment opportunities are to be provided in Maitland, considering emerging trends in job growth and economic change and to facilitate the renewal of employment areas through incentives for redevelopment in appropriate and identified locations;
- Centres are to be protected and strengthened with the use of development guidelines and incentives. The hierarchy of centres is to be maintained, but will be subject to review and analysis;
- Encourage employment growth in Central Maitland, whilst maintaining and facilitating specialized civic, educational, medical and entertainment functions. Also limit retail and commercial development outside Central Maitland and Greenhills; and
- Maintain a 10 to 15 year supply of zoned employment land and ensure sufficient zoned land and infrastructure provision for employment land, by concentrating activities near areas with existing services that are underutilized or easily expanded.

PART C: MAITLAND'S NETWORK of ACTIVITY CENTRES and EMPLOYMENT CLUSTERS

Set within the local and regional context, this strategy presents a proactive approach to the planning and development of activity centres and employment clusters to manage growth over the next 20 years.

The definition of a network (*the pattern of provision*) and hierarchy (*the role and relationship*) ensures that growth in centres and clusters consider the overall network and how they interrelate. Figure 4 illustrates the network of activity centres and employment clusters in the Maitland LGA. This approach will positively contribute to the prosperity of the local economy and support the residential and working communities, helping to create a more sustainable future for Maitland.

The Lower Hunter Regional Strategy establishes a regional hierarchy of centres. The NSW Government's regional hierarchy lists Central Maitland as a Major Regional Centre within the Lower Hunter. This is supported by the identification of town centres at East Maitland, Ruthersford and Thornton and a new town centre at Lochinvar to support the associated residential growth. Greenhills is classified as a Stand Alone Shopping Centre which recognises the significant retail offer and specialised function that Greenhills provides the Maitland LGA and the wider region.

The network and hierarchy framework of this strategy provides a clear definition as to the vision, role and function of activity centres, specialised precincts, employment clusters and corridors. It builds on the regional hierarchy, providing a more local approach to defining activity centres and employment clusters. The hierarchy ensures that residents across the LGA have easy access to the higher order centres, as well as the convenience that local and neighbourhood centres offer and jobs in locations close to home.

The network and hierarchy of activity centres and employment clusters must be resilient to positively respond to the inevitable economic and social changes. Review of the strategy and regular monitoring to identify growth and decline of centres and clusters is critical to enable Council to take action for the benefit of residents, workers, visitors and investors of Maitland.

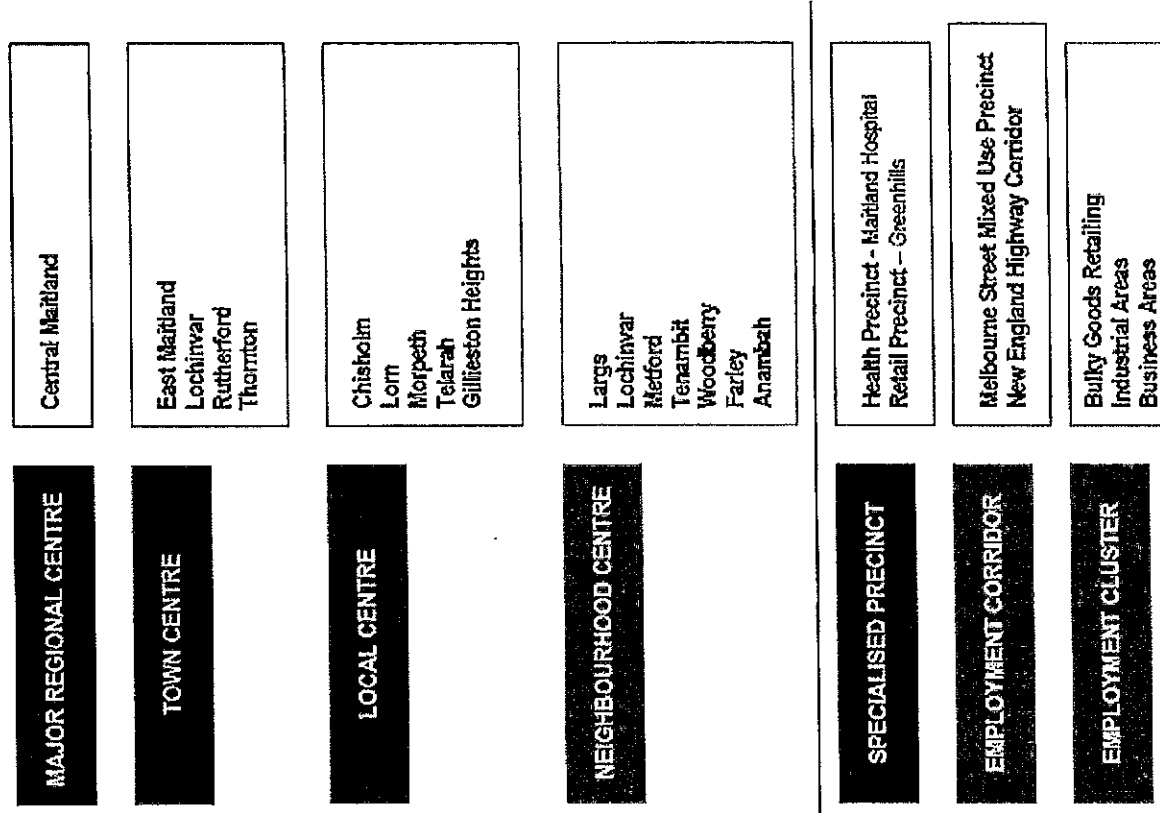
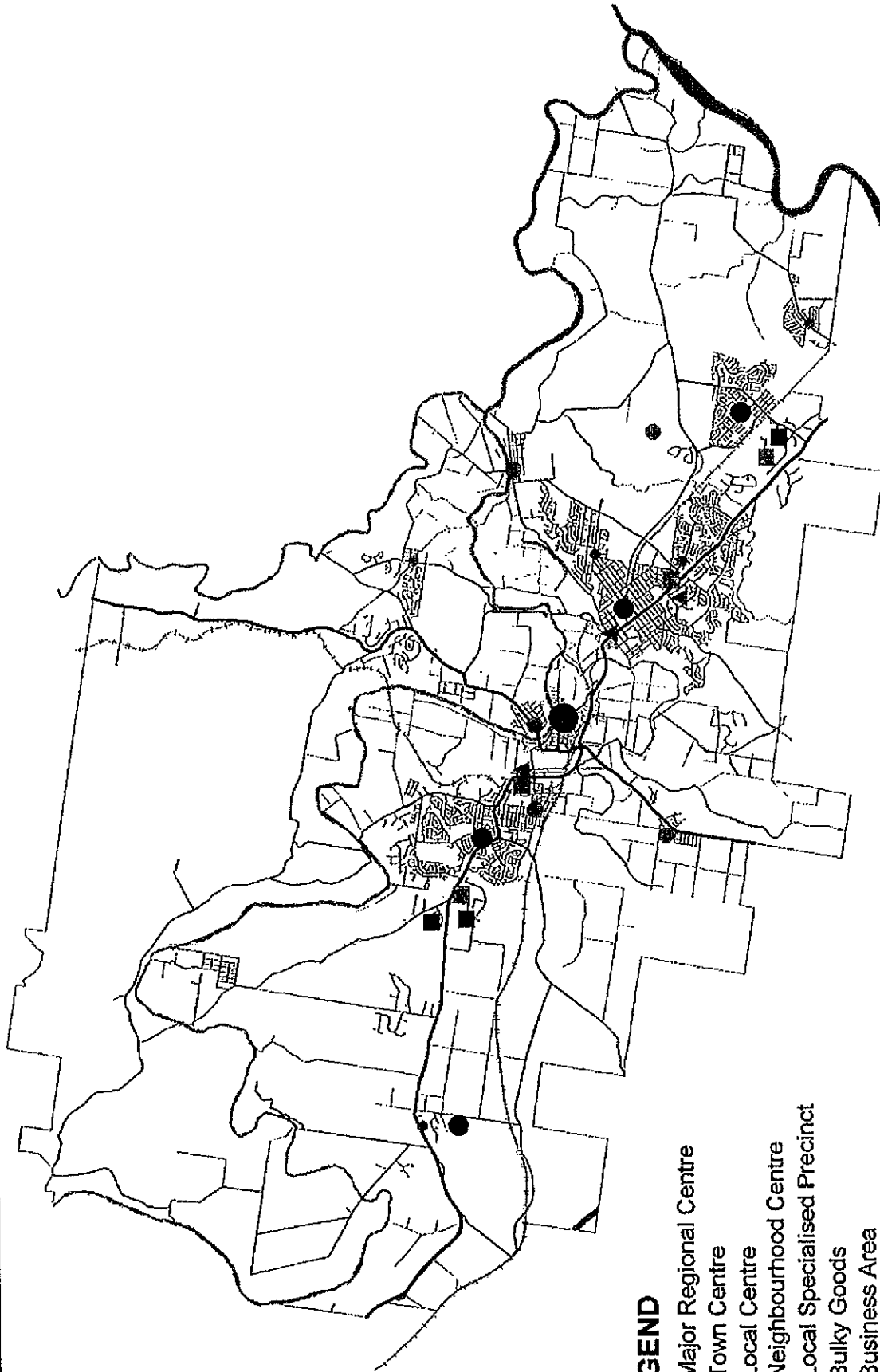
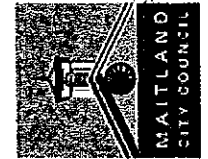


Figure THREE: Hierarchy of Activity Centres



LEGEND

- Major Regional Centre
- Town Centre
- Local Centre
- Neighbourhood Centre
- ▲ Local Specialised Precinct
- Bulky Goods
- Business Area



Scale 1 : 140 000
Printing Date: November 2009



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This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland City Council

Figure FOUR:

**NETWORK OF CENTRES and EMPLOYMENT CLUSTERS
within the MAITLAND LGA**

The MUSS identifies specific areas within Farley and Anambah for investigation as long term urban release areas. In keeping with the rationale applied to areas like Gillieston Heights and Thornton North, opportunities existing for the development of a new neighbourhood centre to grow in parallel with future residential development that may occur in either location.

KEY POLICY OBJECTIVES

Key policy objectives that would apply to a neighbourhood centre in either Farley or Anambah include:

- Reinforce the role and function as a neighbourhood centre within the network and hierarchy of activity centres and provide a focal point for community activity and to build a strong identity and sense of community for the new residents of the specific location;
- Creation of a new neighbourhood centre to support the convenience needs of the new and existing residential community and the integration of some shop top housing to create a vibrant activity centre; and
- Contribute to the creation of a new walkable neighbourhood through the provision of safe, pleasant pedestrian and cycleway routes connecting the activity centre to the surrounding residential neighbourhood and to provide good connectivity with public transport; and

FUTURE OPPORTUNITIES

The potential population growth in Farley and Anambah may provide opportunities for the creation of a new neighbourhood centre. The creation of a new centre must be further explored with the preparation of a structure plan or planning proposal for the areas. If the population growth fails to reach predicated levels, or is delayed this may affect the potential scale or eliminate the need for a new centre in either location.

A new activity centre in either location must clearly demonstrate to Council that the scale and siting has been subject to detailed analysis and that it can successfully integrate with the existing and new residential development and that it has considered the established network and hierarchy of centres and clusters in Maitland.



FIGURE TWENTY and TWENTY-ONE: Potential Neighbourhood Centres – Farley and Anambah
(source: MUSS 2008 – Investigation Area Maps)

PART D: REVIEW and IMPLEMENTATION

Review of this Strategy

One of the key principles underpinning this strategy is the importance of it being reviewed and updated on a regular basis. This review process ensures that the key policies and principles respond to the changing nature of cities over time and where deficiencies are identified, opportunities to remedy these can be implemented.

It is envisaged that this strategy will be reviewed every five years to ensure that the vision and key policy objectives for each of the activity centres and employment clusters are achieving the desired future outcomes envisaged by this strategy.

Regular monitoring of development in activity centres and employment clusters will ensure that the vision is being achieved and opportunities are being identified and pursued. The review of all activity centres and employment clusters will monitor a range of economic, social and community indicators to ascertain their viability. It also provides opportunities to introduce new initiatives to respond to future changes and continue to provide vibrant activity centres and diverse employment opportunities in employment clusters.

Maintaining the Viability of Activity Centres and Employment Clusters

The viability and vitality of Maitland's activity centres and employment clusters is not only a measure of economic success, but must be considered through a range of indicators. The community, environmental and social aspects of activity centres also must be vital and viable to ensure that they support the needs of the residents, workers and visitors of the Maitland LGA.

Monitoring the viability and vitality of activity centres and employment clusters should be on a regular, ongoing basis. This provides valuable information to evaluate changes over time and to effectively respond to those changes that will occur in the community and local economy.

Indicators that can be used to effectively monitor the viability and vitality of activity centres and employment clusters include:

- **The Diversity of Activities** – to measure the type, number and size of the different activities within activity centres and employment clusters with regular land use surveys. This includes land uses such as retail; offices; cultural; community, civic and government functions; entertainment and leisure facilities; accommodation; and restaurants, cafes, pubs and bars. Having a diverse range of services and activities attracts a range of people, activities and contributes to a vibrant activity centre.
- Within employment clusters and precincts a diverse range and size of employment generating activities and support services cater for a range of skill sets and qualifications and provide opportunities for smaller businesses to enter the local market.
- **Views and Behaviour of Customers and Residents** – regular customer workers and community surveys can assist in the ongoing monitoring and evaluation of activity centres and employment clusters. In particular surveys provide information on attitudes and other indicators which are qualitative and harder to measure.
- **Perceptions of Safety and Occurrence of Crime** – surveys should also include questions relating to the perceptions of safety within the activity centre and employment cluster. Although crime statistics provide accurate data on actual safety, the perceptions of customers, residents and workers can greatly impact on the viability and vitality of the centre or cluster, particularly the night-time economy of activity centres.
- **Quality of the public realm and surrounding environment** – conducting regular audits of the public domain and environment of activity centres and employment clusters can identify potential problems (i.e. graffiti, lighting and damaged street furniture) as well as the positive features (i.e. landscaping, public art, open spaces, seating).
- **Quality of the Built Environment** - conducting regular audits of the quality of the buildings in activity centres and employment clusters provides an indication of the level of expenditure and capital that owners are willing to invest into their

property and the surrounding landscape.

- **Accessibility** – the ease of access by a variety of transportation modes. This includes the quality of car parking in terms of location, safety and availability; the quality, frequency and connectivity of public transport and the provision of quality spaces for pedestrian and cyclists to access the centre from the main arrival point.
- **Potential Capacity for Growth and Change** – For both activity centres and employment clusters, this understands the physical constraints of the location to facilitate expansion and the land available for new and possibly more intensive development to occur.
- **Proportion of Vacancies** – conduct regular landuse surveys of activity centres and employment clusters to ascertain the take up and change in the type of businesses. In activity centres this is particularly significant for those properties at street level. High vacancy levels can contribute to an activity centre being a lifeless, rundown and perceived as being unsafe. If this is observed as being a long term issue, incentives and alternative strategies can be put in place to reinvigorate or renew the centre.
- **Rental Value of Properties** – cost of rental can impact on the choices made about location. Providing a range of rental costs and grades of rental space offers choices, in terms of location, ongoing cost and types of services. A range of rental costs also facilitates the entrance of small business and start-up enterprises into the local market, and the location of community services within activity centres thereby resulting in greater choice and diversity for customers.
- **Pedestrian Volume and Movement** – This indicator is specific to activity centres and is a measure of vitality. Monitoring pedestrian volume and movement helps to evaluate the different areas which people are attracted to and frequently use within an activity area or alternatively an area that may be perceived as unsafe and that is not used. This can also be a sign of as to how the centre is being used and at what times of the day and night.

Assessment of Planning Proposals

An important part to maintaining the viability and vitality of activity centres and

employment clusters and facilitating future development to strengthen existing and create new centres and clusters is through the development assessment process.

To achieve the desired future outcome of the network and hierarchy of activity centres and employment clusters in the Maitland LGA, Council will require applicants to demonstrate the appropriateness of the proposal. The following issues need to be justified for development application within activity centres and employment clusters as well as proposals for commercial, retail, industrial and community land uses located outside of centres.

The level of detail provided should be proportional to the nature and scale of the development proposed. However, all applications must demonstrate that:

- a. The need for the development within the local and if appropriate, the regional context. Consideration should also be given to the local network and hierarchy of activity centres and employment clusters as outlined in this strategy;
- b. The development is of an appropriate scale and is consistent with the vision, role and objectives of the activity centre or employment cluster in which the proposal is located;
- c. Based on the sequential testing framework, the development proposal can not be located within or at the edge of an activity centre or employment cluster;
- d. The location of the proposed development outside of activity centres and employment clusters will have no undesirable impact on their viability; and
- e. The location of the proposed development outside of activity centres and employment clusters is accessible by a variety of transportation modes.

Sequential testing

In line with the key principles of this strategy to protect the vitality and viability of existing activity centres and protect the viability of well located employment clusters a sequential testing framework will be used. This assessment method has been in

the United Kingdom for a number of years to protect the viability of centres and to ensure communities have access to a range of services and facilities which are easily accessible while also promoting economic growth and encouraging investment. The sequential approach has also been applied to this strategy and the identification of activity centres and employment clusters within the Maitland LGA.

Prioritising sites within existing activity centres and employment clusters or at their edge, the sequential approach aims to encourage developers and business operators to demonstrate that in seeking an appropriate site, they have also been flexible about their business model in terms of scale, format and car parking provisions. This enables specific types of activities and land uses to be located within activity centres and employment clusters which is supported by high levels of accessibility and supported by a range of facilities, services and public infrastructure.

The sequential testing approach requires that sites be considered in the following order:

- Preference will be given to sites located within existing activity centres and employment centres;
- Edge of Centre/Cluster - located on or near to the boundary of the activity centre or employment cluster that is or will be well-connected to the existing centre or where it is demonstrated that expansion is required without compromising the network and hierarchy of centres and clusters; and
- Out of Centre/Cluster – where suitable sites can not be identified in or at the edge of activity centres or employment clusters, preference will be given to sites with have accessibility to a range of transport options, that are close to existing centres or clusters and there is a possibility of forming links.

For large-scale sites out of centre/cluster, an impact assessment must accompany applications which demonstrate that the location will not significantly impact on the vitality and viability of existing activity centres and employment clusters.

Impact Assessments

An impact assessment is required for significant development proposals for a land use best suited within an activity centre or for an employment generating activity best

suited within an employment cluster which is located outside and is inconsistent with the strategies and principles of this strategy.

This assessment must clearly demonstrate to Council that the location outside of the activity centres or employment clusters has considered the sequential testing framework. The impact assessment must justify the location choice and demonstrate that the proposed development will have no undesirable impact on the viability of identified activity centres and employment clusters within the surrounding area; and that the proposed land use activity easily accessible, providing links with a variety of transport options and adequate car parking and therefore the impact on traffic and congestion.

Other considerations such as requirements for infrastructure provision to support the proposal, environment impact of the proposed location, the risk to Council's strategic approach to a network and hierarchy of activity centres and employment clusters and the community and social impact of the proposed development being located outside an existing centre or cluster.

Structure Planning

The purpose of preparing structure plans for activity centres and employment clusters is to ensure that future growth takes place in a coordinated and sustainable manner. In consultation with the local community, government departments and agencies, infrastructure providers and community representatives, structure plans provide the framework, vision and key policy objectives for the activity centre or employment cluster.

It is envisaged that structure plans be prepared, but not limited to the following activity centres and employment clusters:

- Central Maitland Major Regional Centre;
- East Maitland Town Centre / Melbourne Street Precinct;
- Thornton Town Centre;

- Rutherford Town Centre; and
- Other new or identified activity centres and employment clusters as determined by Council.

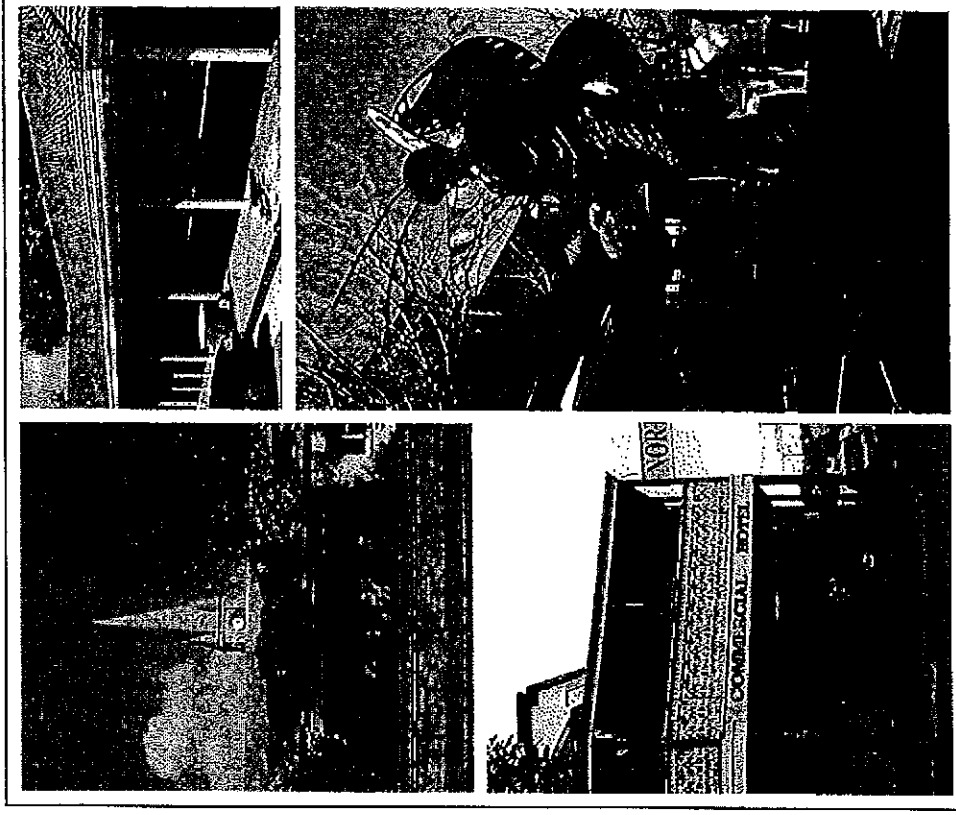
The town centre proposed at Lochinvar and the local centres proposed for Chisholm, Gillieston Heights are part of adopted structure plans. However, a number of the smaller local or neighbourhood centres will be included as a part of a structure plan for an identified urban release area.

Therefore, the planning and design of those activity centres must be considered within the context of the overall release area and how it will best support the immediate and wider residential neighbourhood. The future development of activity areas will be required to provide a detailed planning and design proposals clearly demonstrating that the vision and key objectives of the centre and this strategy are being achieved.

Design and Development Controls

The implementation of this strategy will occur through a number of mechanisms. In regards to landuse planning, the primary implementation mechanisms are the Maitland LEP 2011 and associated development control plan. Policies and guidelines to support specific issues will also be prepared to ensure that vision and objectives of this strategy are implemented.

To ensure a positive design outcome for Maitland's activity centres and employment clusters, design guidelines will be prepared to support the implementation of this plan. This will provide guidance on a range of design outcomes, such as street layout and design; public spaces and landscaping, safe public realm, mixed use development and higher density building design and car parking. This will present landowners with a clear understanding as to the expectations of Council and ways to achieve the vision and objectives outline in this strategy.

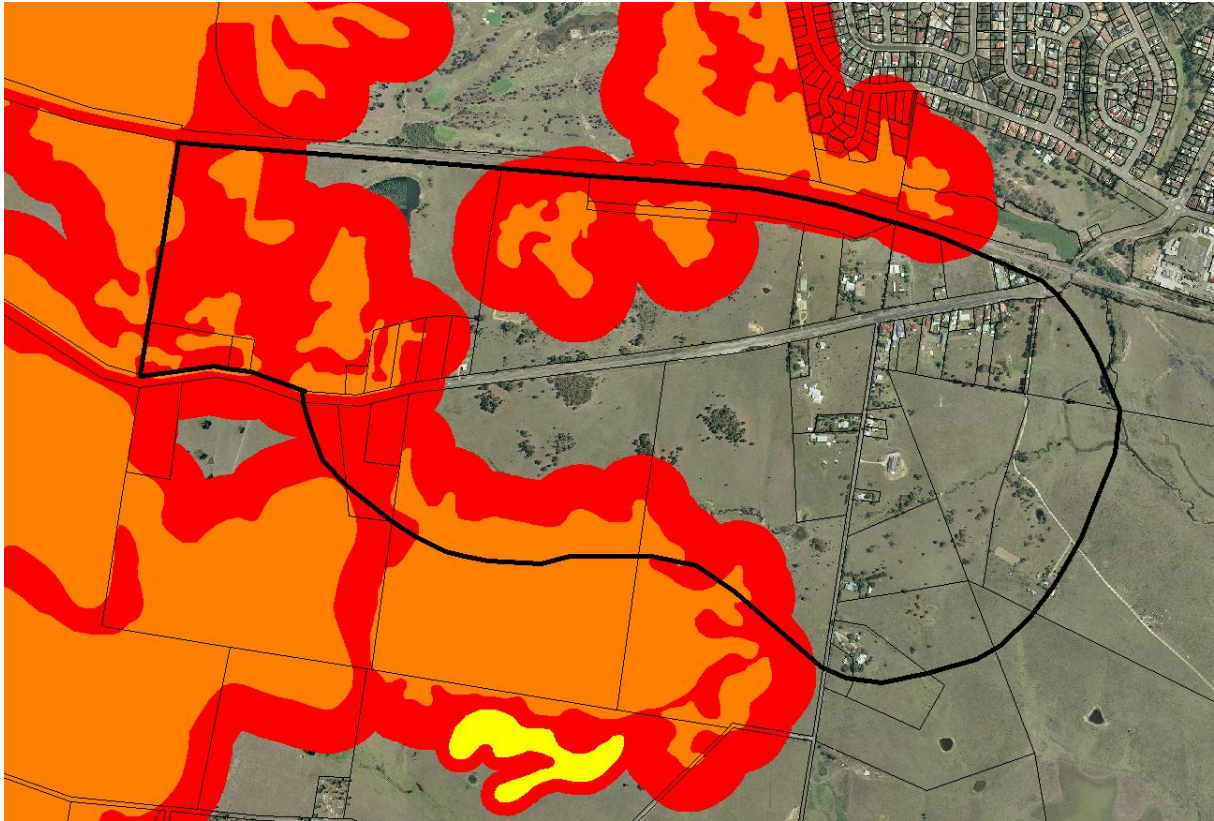


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Appendix SEVEN

Bushfire Prone Land Mapping



Appendix EIGHT

Draft ILUTS 2010 Mapping

FIGURE 4.1A - ROUTE OPTION SCENARIOS

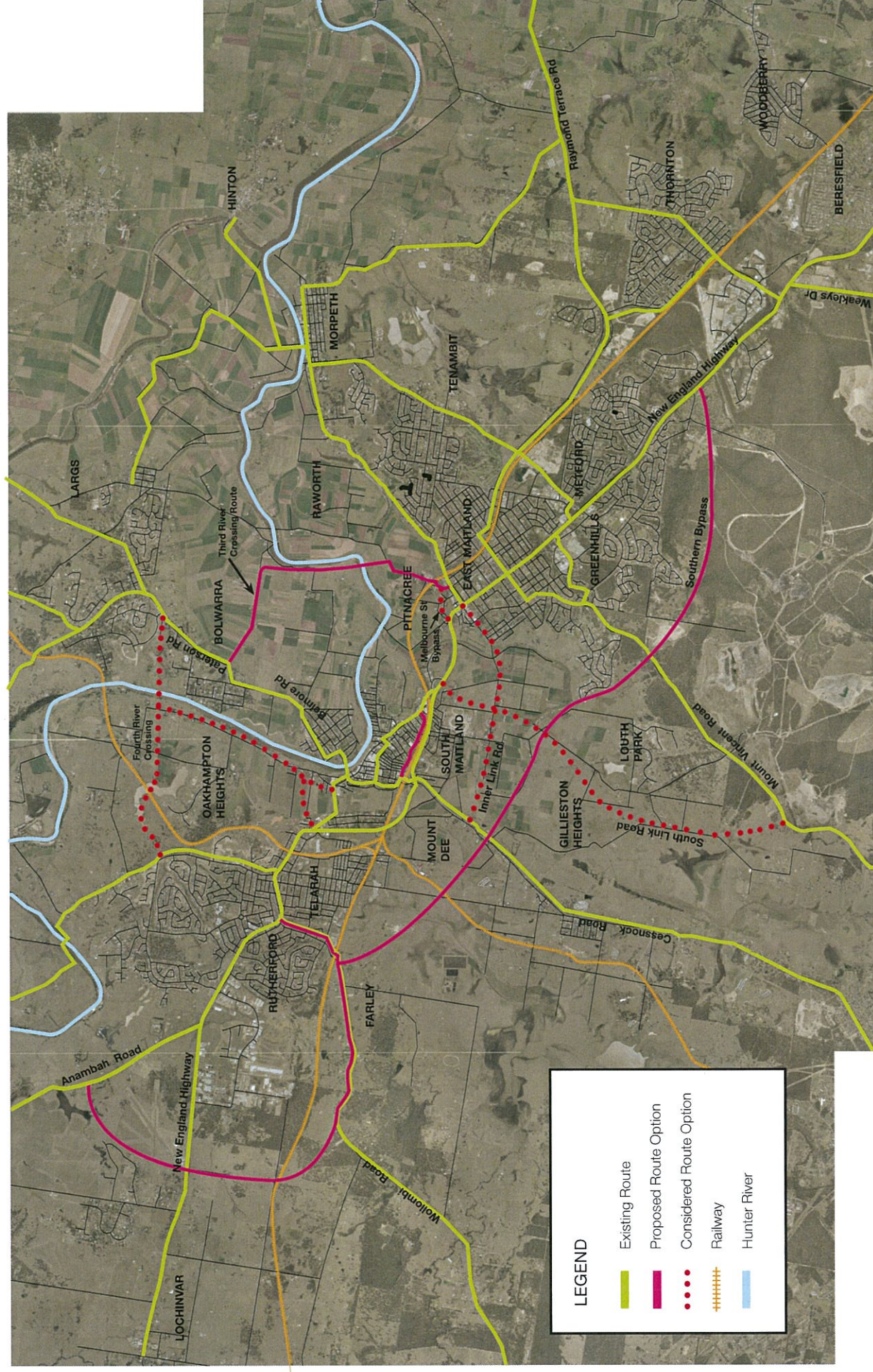
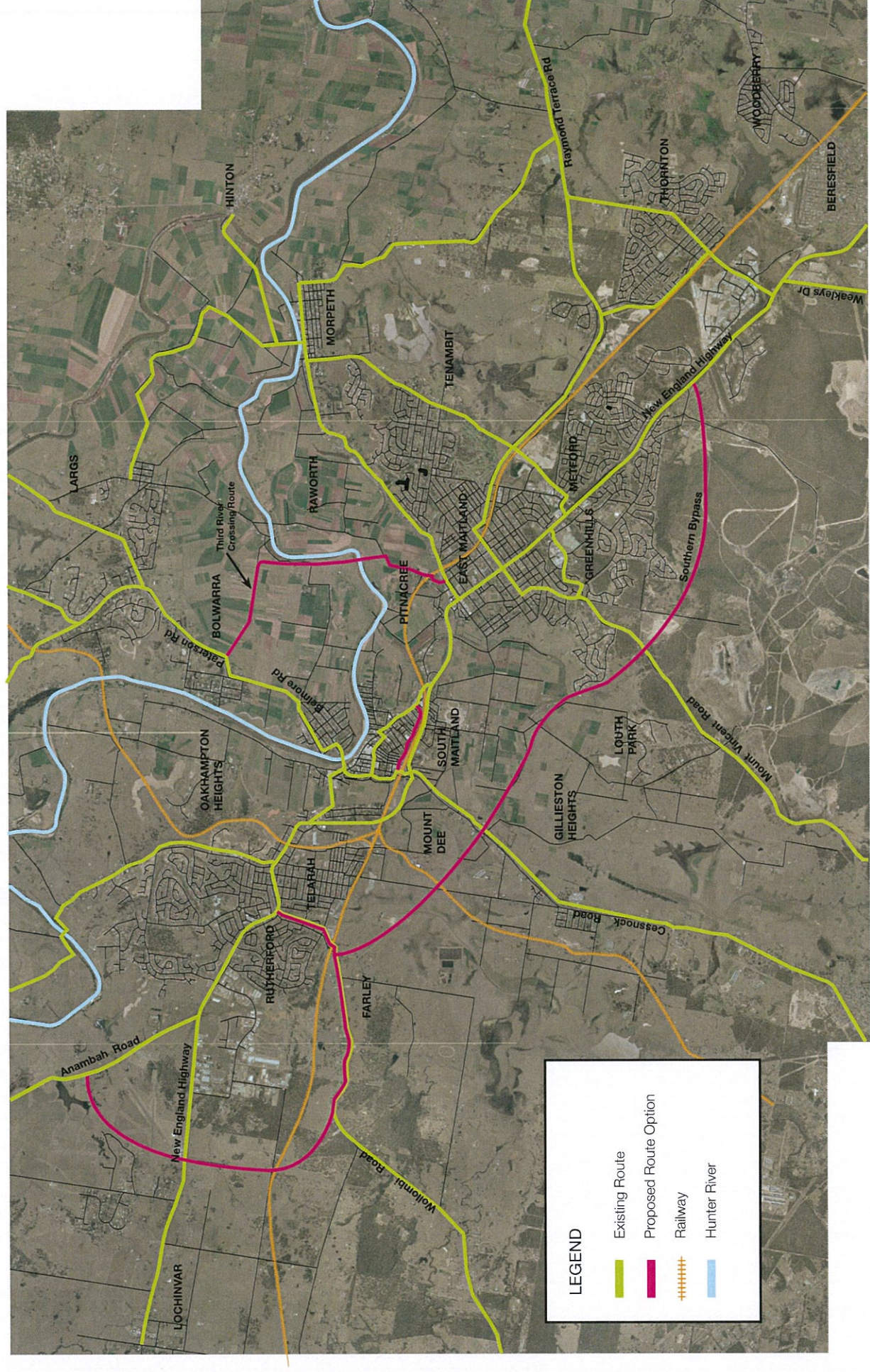


FIGURE 4.1B - PROPOSED ROUTE NETWORK SCENARIOS





The following main points are made based on the assessment of the traffic modelling scenarios:

1. The New England Highway will experience a high level of traffic volume by the year 2016 and it will continue until 2026.
2. The difference plots on two scenarios for 2026, "Existing Network" vs "Existing Network and Hunter Expressway" indicates that construction of the Hunter Expressway will attract some 12,000 vpd from New England Highway.
3. The difference plots on two scenarios for 2026, "Existing Network" vs "Proposed Network with no Hunter Expressway" indicates that the Southern Bypass will attract some 22,000 vpd from the New England Highway i.e., a reduction of some 10,000 vpd local traffic and reduction in 12,000 vpd through traffic (i.e. if the Bypass would be built).
4. The difference plots on two scenarios for 2026, "Proposed Network" vs "Proposed Network and Hunter Expressway" indicates that the inclusion of the Hunter Expressway will reduce some 12,000 vpd from the proposed Southern Bypass with minimal impact on New England Highway.
5. It is clearly evident that the proposed Southern Bypass will play an important strategic role and function as part of the future route system for the LGA. It provides a complementary corridor to New England Hwy and the Hunter Expressway.
6. The construction of the Hunter Expressway will alleviate, only partially, the level of traffic volumes along the route system within the LGA.
7. The assessment of volume to capacity results for two 2026 scenarios: "Proposed Road network including Southern Bypass" vs: "Existing Road Network with Hunter Expressway" reveals that New England Highway and Cessnock Road, both will experience a better level of service as part of the "Proposed Road Network with Southern Bypass". In summary, it indicates that the proposed Southern Bypass will have a more positive impact on the operation of the road network than the Hunter Expressway.
8. Considering all future scenarios, Raymond Terrace Road (will experience a high level of traffic volume particularly at its section west of Thornton Rd - Haussman Drive).
9. The select link analysis for Raymond Terrace Road indicates a considerable level of movement between Raymond Terrace to Weakleys Drive, Green Hills and East Maitland (about 4,000 vpd to/from Weakleys Drive and 4,000 vpd to/from remaining).
10. The select link for the proposed Southern Bypass clearly shows the need for vehicular movements between West Maitland and Weakleys Drive.

11. The proposed Fourth River Crossing select link analysis indicates the localised nature of its movement activities (some 2500 vpd with over 500 vpd associated with West Maitland). Therefore, implementation of the proposal will not result in a highly beneficial road scheme for the area. Parts of this traffic will be distributed along Aberglasslyn and Belmore Roads.
12. Cessnock Road will have a greater role as part of the road network in coming years. The implementation of Hunter Expressway would encourage a higher use of Cessnock Road which will require a major treatment at their intersection.
13. By the year 2026, Belmore Road could experience a traffic volume of some 19,000 vpd if a "Do Nothing" scenario (i.e. existing network) is adopted but if a "Proposed Road Network with or without Hunter Expressway" would be implemented, its traffic volumes will be in order of some 13,000 vpd.
14. The widening of Haussman Drive will be required by the year 2016.
15. Melbourne Street will experience high traffic volumes due to the Third River Crossing measures. Therefore its operational characteristics need to be monitored to maintain its environmental amenities. Currently, more use of other streets such as Riley Street has been observed for those wishing to travel west.
16. The overall assessment of all scenarios guides us to the conclusion that the proposed Southern Bypass is a viable option that should seriously be considered as part of the future road network. It is also evident that if such measures are not taken, the route system will experience a very low level of service.
17. It is important to note that the proposed southern bypass is not a substitute for the Hunter Expressway. Its function is independent from Hunter Expressway as it provides an appropriate level of service for the route network within the LGA (hence better circulation and efficiency).

FIGURE A4.5C - SELECT LINK: PROPOSED SOUTHERN BYPASS

2026 Select link westbound on Southern Bypass

