

DRAFT

Minutes 28 JUNE 2011



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 28 June 2011, commencing at 5.30pm.

PRESENT: Councillors R. Westbury (Mayor); S. Dover (Deputy Mayor); G. Dingle; C. De Lyall, P. Kafer; K. Jordan; B. MacKenzie; J. Nell; S. O'Brien; S. Tucker, General Manager; Corporate Services Group Manager, Facilities and Services Group Manager; Sustainable Planning Group Manager; Commercial Services Group Manager and Executive Officer.

216	Councillor John Nell Councillor Bruce MacKenzie	It was resolved that the apology from Councillors Frank Ward and Glenys Francis be received and noted.
217	Councillor Ken Jordan Councillor John Nell	It was resolved that the minutes of the Ordinary meeting of Port Stephens Council held on 14 June 2011 be confirmed.
		Cr Steve Tucker declared a less than significant conflict of interest in Item 1 of the General Manager's report. The nature of the interest is that Cr Tucker is Patron of the Medowie Sports & Recreation Club which has received support from parties who would benefit

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		from this review. As Patron, I am a non-executive office holder and receive no voting rights or influence in the Club operations.
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Councillors Kafer and De Lyall were not present at the commencement of the meeting.

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COUNCIL COMMITTEE RECOMMENDATIONS

ITEM NO. 1

FILE NO: 2006-0046

PORT STEPHENS PLANNING STRATEGY

**REPORT OF: BRUCE PETERSEN – MANAGER ENVIRONMENTAL AND DEVELOPMENT
PLANNING**

GROUP: SUSTAINABLE PLANNING

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the draft Port Stephens Planning Strategy 2011 Attachment 1 – provided under separate cover - and forward a copy to the Director-General Department of Planning and Infrastructure for endorsement.
- 2) Write to the Department of Housing requesting a presentation on the growth and management approach for the provision of housing in Port Stephens.
- 3) Replace the Proposed Centres Hierarchy Map in the draft Port Stephens Planning Strategy 2011 with a new Centres Hierarchy Map correctly reflecting the role Boat Harbour and One Mile have in the local government area, and not specifically identify Boat Harbour and One Mile as a "significant village" as all communities are significant;
- 4) Acknowledge in the draft Port Stephens Planning Strategy 2011, the significant role all communities, including Boat Harbour and One Mile play in how Port Stephens functions as an area.

COUNCIL COMMITTEE MEETING – 21 JUNE 2011

RECOMMENDATION:

	Councillor John Nell Councillor Sally Dover	That Council place the Port Stephens Planning Strategy on public exhibition for a period of 28 days.
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In accordance with the Local Government Act 1993, Section 375A, a division is required for this item.

Those for the motion: Crs Glenys Francis, Steve Tucker, Peter Kafer, Caroline De Lyall, John Nell, Geoff Dingle, Shirley O'Brien and Sally Dover.

Those against the motion: Nil.

MINUTES ORDINARY COUNCIL – 28 JUNE 2011**ORDINARY COUNCIL MEETING – 28 JUNE 2011****RESOLUTION:**

Cr Peter Kafer entered the meeting at 5.32pm prior to voting on Item 1.

218	Councillor Bruce MacKenzie Councillor Ken Jordan	It was resolved that Council defer the Port Stephens Planning Strategy for a period of one month and Councillors be provided with a 2 way conversation on the Strategy.
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In accordance with the Section 375A, Local Government Act 1993, a division is required for this item.

Those for the Motion: Crs Bob Westbury, Peter Kafer, Ken Jordan, Bruce MacKenzie, Steve Tucker, Shirley O'Brien, Geoff Dingle and Sally Dover.

Those against the Motion: Crs John Nell.

ITEM NO. 2

FILE NO: PSC2011-01753

SUPPLY OF ELECTRICITY CONTRACT – LARGE SITES & STREET LIGHTING

REPORT OF: DAMIEN JENKINS – FINANCE SERVICES MANAGER
GROUP: COMMERCIAL SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) To delegate authority for the General Manager to act on behalf of Council if satisfied with the outcome of the reverse auction as conducted by Regional Procurement.
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COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:

	Councillor John Nell Councillor Caroline De Lyall	That the recommendation be adopted.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:

219	Councillor Bruce MacKenzie Councillor Ken Jordan	It was resolved that the recommendation be adopted.
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ITEM NO. 3**FILE NO: PSC2005-4359,
PSC2008-1320, PSC2006-1315****WRITE OFF OF UNRECOVERABLE JUDGMENT DEBTS****REPORT OF: DAMIEN JENKINS, FINANCIAL SERVICES MANAGER
GROUP: COMMERCIAL SERVICES**

RECOMMENDATION IS THAT COUNCIL:

- 1) Write off the outstanding judgment debt for court awarded legal costs owed by Blue Lagoon Village Pty Ltd (deregistered) in the amount of \$45,333.60 (account number 10028.57) as attempts to recover the debt would not be cost effective and any successful recovery is doubtful.
 - 2) Write off the outstanding judgment debt for court awarded fine and legal costs owed by Robinsons Anna Bay Sand Pty Ltd (deregistered) in the amount of \$180,106.42 (account number 10032.57) as there is no viable avenue via which recovery of the debt could be pursued.
 - 3) Write off the outstanding judgment debt for court awarded legal costs owed by Dream 510 Pty Ltd (deregistered) and its former Directors in the amount of \$23,084.17 (account number 10033.57) as the debt is not lawfully recoverable.
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**COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:**

	Councillor John Nell Councillor Shirley O'Brien	That the recommendation be adopted.
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**ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:**

Cr Caroline De Lyall entered the meeting at 5.41pm prior to voting on Item 3.

220	Councillor John Nell Councillor Peter Kafer	It was resolved that the recommendation be adopted.
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ITEM NO. 4**FILE NO: ROI 01-2011****RECOGNISED CONTRACTORS LIST**

REPORT OF: DAMIEN JENKINS – FINANCIAL SERVICES SECTION MANAGER
GROUP: COMMERCIAL SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Approve the establishment of a register of pre-qualified suppliers for Port Stephens Council in accordance with the Local Government Act 1993 section 55 and the Local Government (General) Regulation 2005. This register is to be available for use by Port Stephens Council staff for a period of 3 years commencing 1 July 2011.
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COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:

	Councillor John Nell Councillor Shirley O'Brien	That the recommendation be adopted.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:

221	Councillor Bruce MacKenzie Councillor Ken Jordan	It was resolved that the recommendation be adopted.
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ITEM NO. 5**FILE NO: PSC2010-04106, PSC2010-04105****INTEGRATED PLANS: COMMUNITY STRATEGIC PLAN - PORT STEPHENS 2021; DELIVERY PROGRAM 2011-2015; RESOURCE STRATEGY 2011-2021; FEES & CHARGES 2011-2012****REPORT OF: WAYNE WALLIS**
GROUP: CORPORATE SERVICES GROUP**RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopts the Integrated Plans: Community Strategic Plan Port Stephens 2021; Delivery Program 2011-2015; Resource Strategy 2011-2021; Fees & Charges 2011-2012 after considering the submissions and recommendations contained in the attached Schedule.

COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:

	Councillor John Nell Councillor Sally Dover	That Item 5 be deferred to the Ordinary Council meeting on 28 June 2011.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:

222	Councillor Shirley O'Brien Councillor John Nell	It was resolved that Council: 1) Receives and notes the Supplementary Information report. 2) Adopts the fees and charges for Medowie Community Centre as publicly exhibited with the addition of the fees for hire of the Wilkinson Room and the bond for the PA system as detailed in this report. 3) Adopts operational plan new item 2.5.5 <i>Convene eleven (11) meetings of the Aboriginal Strategic Committee annually. Responsibility Environmental and Development Planning.</i> 4) Agrees that all capital works for the
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		period 2011-2021 related to Samurai Beach Resort be removed from the schedule of works in the Strategic Asset Management Plan (SAMP). 5) Agrees that the wording of 11.1 Special Notes in the Executive Summary (p13) be altered so that the second sentence reads <i>However at the time of preparation of this SAMP, Council is considering the sale or alternative service delivery of Samurai Beach Resort.</i> 6) Adopts operational plan amended item 5.1.2 Manage outstanding debts owed to Council. 7) Note the correspondence received from the TRRA and provide the Association with written advice on Council's determination in this matter. 8) Adopts the Integrated Plans: Community Strategic Plan Port Stephens 2021; Delivery Program 2011-2015; Resource Strategy 2011-2021; Fees and Charges 2011-2012 as amended in the supplementary information.
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ITEM NO. 6**FILE NO: A2004-0511****LOCAL TRAFFIC COMMITTEE MEETING – 3 MAY 2011**

REPORT OF: JOHN MARETICH – CIVIL ASSETS SECTION MANAGER
GROUP: FACILITIES AND SERVICES

RECOMMENDATION IS THAT COUNCIL:

- 1) Adopt the recommendations contained in the minutes of the Local Traffic Committee meeting held on 3rd May 2011.
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COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:

Cr John Nell left the meeting at 7.54pm.
Cr John Nell returned to the meeting at 7.55pm.

	Councillor Peter Kafer Councillor Geoff Dingle	That the recommendation be adopted.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:

223	Councillor Ken Jordan Councillor Peter Kafer	It was resolved that the recommendation be adopted.
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ITEM NO. 7**FILE NO: 1190-001****REQUEST FOR FINANCIAL ASSISTANCE****REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER****GROUP: GENERAL MANAGER'S OFFICE**

RECOMMENDATION IS THAT COUNCIL:

- 1) Approves provision of financial assistance under Section 356 of the Local Government Act from the respective Mayor and Ward Funds to the following:-
 - a) Lunch 'N' Go Raymond Terrace – Rapid Response – Cr Francis – Cost of providing sandwiches for morning tea for 30 persons who participated in Salvation Army's Red Shield Appeal Launch on 5 May 2011 - \$121.50;
 - b) Seaham Bowthorne Soccer Club – Rapid Response – Cr Jordan – Donation towards cost of recovery from the fire to the Clubhouse on 15th May 2011 - \$500.00;
 - c) Hinton Tennis Club – Rapid Response – Cr Jordan – Donation towards the cost of eradicating the green moss which is growing on the synthetic grass tennis courts - \$500.00;
 - d) Boat Harbour Recreation Club – Rapid Response – Cr Dover – Donation towards seed funding for tennis coaching program for Anna Bay Public School Students - \$500.00.
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COUNCIL COMMITTEE MEETING – 21 JUNE 2011**RECOMMENDATION:**

	Councillor Sally Dover Councillor Shirley O'Brien	That the recommendation be adopted.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011**RESOLUTION:**

224	Councillor John Nell Councillor Ken Jordan	It was resolved that the recommendation be adopted.
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ITEM NO. 8

FILE NO: A2004-0266

MAYOR AND COUNCILLOR FEES 2011/12

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER

GROUP: GENERAL MANAGER'S OFFICE

RECOMMENDATION IS THAT COUNCIL:

- 1) Determine the fees for the Mayor and Councillors for the period 1 July 2011 to 30 June 2012.
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COUNCIL COMMITTEE MEETING – 21 JUNE 2011

RECOMMENDATION:

	Councillor John Nell Councillor Shirley O'Brien	That Council adopt the maximum allowance for both the Mayor and Councillors.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011

RESOLUTION:

225	Councillor John Nell Councillor Bruce MacKenzie	It was resolved that the recommendation be adopted.
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ITEM NO. 9

INFORMATION PAPERS

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
GROUP: GENERAL MANAGERS OFFICE

RECOMMENDATION IS THAT COUNCIL:

Receives and notes the Information Papers listed below being presented to Council on 21 June 2011.

No:	Report Title	Page:
1	SUPPLY OF ELECTRICITY CONTRACT - SMALL SITES	
2	CASH AND INVESTMENTS HELD AT 31 MAY 2011	

COUNCIL COMMITTEE MEETING – 21 JUNE 2011
RECOMMENDATION:

	Councillor Steve Tucker Councillor John Nell	That the recommendation be adopted.
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ORDINARY COUNCIL MEETING – 28 JUNE 2011
RESOLUTION:

226	Councillor Steve Tucker Councillor Ken Jordan	It was resolved that the recommendation be adopted.
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GENERAL MANAGER'S REPORT

PETER GESLING
GENERAL MANAGER

Councillor Steve Tucker declared a less than significant interest in Item 1 of the General Manager's report.

ITEM NO. 1

FILE NO: PSC2006-0029

MEDOWIE STRATEGY REVIEW

REPORT OF: BRUCE PETERSEN –ENVIRONMENTAL & DEVELOPMENT PLANNING
MANAGER
GROUP: SUSTAINABLE PLANNING

RECOMMENDATION IS THAT COUNCIL:

1) Amend the Medowie Strategy in relation to the sites as shown in **Attachment 1** to:

- a. Refer to Rural Small Holdings and Environmental Living as Large Lot Residential;
- b. Identify Site 1 Boundary Road (Lots 93, 94, 95 & 96 in DP 753194) to part Large Lot Residential and part Environmental Management and support this inclusion with the following statement of strategic support:

"The Boundary Road neighbourhood will be a cohesively-designed large-lot residential estate able to be completed in stages. Where possible, lot design will be integrated with the adjoining land identified for Environmental Management in order to retain the natural character and amenity values of the site for future residents.

Lot sizes will vary throughout the site, but will generally be 1000-1500m². Acreage allotments will front Boundary Road to provide a transition to existing acreage development on the southern side of Boundary Road. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation.

A Voluntary Planning Agreement will be sought that will require the preparation of a site-specific development control plan - incorporating a staged master plan - for the developable land. The development control plan will seek to maximise retention of vegetation and ecological outcomes and minimise ecological impact, and enforce a high level of development design.

The land identified as Environmental Management will be retained, enhanced and placed into a conservation zone in recognition of the ecological values of the site. The intent is to transfer this land into public ownership as part of the Voluntary Planning Agreement."

- c. Identify Site 3 Waropara Road North (Lot 2 in DP 869411) to part Large Lot Residential and Part Environmental Living;

MINUTES ORDINARY COUNCIL – 28 JUNE 2011

- d. Identify Site 5 Ferodale Road West (Lot 106 in DP 1082077) to part Large Lot Residential; and
 - e. Delegate to the General Manager to make various administrative amendments to the Medowie Strategy to implement the above changes.
- 2) Make a specific submission to the NSW Minister for Planning and Infrastructure and the Director of the Department of Planning and Infrastructure to advocate inclusion of the Boundary Road site in the Lower Hunter Regional Strategy.

PLEASE NOTE:

Council at its meeting of 14 June 2011 resolved to defer this item to the Ordinary Council meeting of 28 June 2011.

ORDINARY COUNCIL MEETING – 28 JUNE 2011

	Councillor John Nell Councillor Geoff Dingle	That Council amend the Medowie Strategy in relation to the sites as shown in Attachment 1 to refer to Rural Small Holdings and Environmental Living as Large Lot Residential.
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AMENDMENT

227	Councillor Bruce MacKenzie Councillor Ken Jordan	It was resolved that Council: 1) Amend the Medowie Strategy in relation to the sites as shown in Attachment 1 to: a. Refer to Rural Small Holdings and Environmental Living as Large Lot Residential; b. Identify Site 1 Boundary Road (Lots 93, 94, 95 & 96 in DP 753194) to part Large Lot Residential and part Environmental Management and support this inclusion with the following statement of
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		strategic support: <i>"The Boundary Road neighbourhood will be a cohesively-designed large-lot residential estate able to be completed in stages. Where possible, lot design will be integrated with the adjoining land identified for Environmental Management in order to retain the natural character and amenity values of the site for future residents.</i> <i>Lot sizes will vary throughout the site, but will generally be 1000-1500m². Acreage allotments will front Boundary Road to provide a transition to existing acreage development on the southern side of Boundary Road. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation.</i> <i>A Voluntary Planning Agreement will be sought that will require the preparation of a site-specific development control plan - incorporating a staged master plan - for the developable land. The development control plan will seek to maximise retention of vegetation and ecological outcomes and minimise ecological impact, and enforce a high level of development design.</i> <i>The land identified as Environmental Management will be retained, enhanced and placed into a conservation zone in</i>
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		<i>recognition of the ecological values of the site. The intent is to transfer this land into public ownership as part of the Voluntary Planning Agreement."</i> 2) Make a specific submission to the NSW Minister for Planning and Infrastructure and the Director of the Department of Planning and Infrastructure to advocate inclusion of the Boundary Road site in the Lower Hunter Regional Strategy. 3) That all other sites be deferred pending a further report.
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In accordance with the Section 375A, Local Government Act 1993, a division is required for this item.

Those for the Motion: Crs Bob Westbury Peter Kafer Caroline De Lyall Ken Jordan Bruce MacKenzie Steve Tucker Shirley O'Brien Geoff Dingle John Nell Sally Dover

Those against the Motion: Nil.

The amendment on being put became the motion which was carried.

BACKGROUND

The purpose of this report is to review submissions received during exhibition of proposed amendments to the Medowie Strategy (the Strategy) and to make recommendations for consequential amendments to the Strategy as shown in Attachment 1.

On 24th March 2009 Council adopted the Medowie Strategy.

On 24th November 2009 Council considered seven (7) sites as potential amendments to the Strategy and resolved that three (3) of the seven (7) sites be supported as amendments for public exhibition.

Site 1 - Boundary Road as part Rural Small Holdings and part Environmental Management;

Site 3 - Waropara Road North as part Rural Small Holdings and part Environmental Living; and

Site 5 - Ferodale Road West as Environmental Living.

Consistent with its resolution to include Site 1 – Boundary Road, Council also resolved at its meeting on 24th November 2009 to formally prepare a planning proposal as follows:

3. Prepare a planning proposal in accordance with section 55 of the Environmental Planning and Assessment Act 1979 to initiate the rezoning process of the Boundary Road site for Rural Small Holdings and Environmental Management purposes and request the NSW Department of Planning to undertake a 'gateway' determination, with no further action to be undertaken until Council's consideration of the exhibited Medowie Strategy incorporating the proposed draft amendments including Site 1 Boundary Road.

The proposed amendments to the Strategy were placed on public exhibition from 25th February 2010 to 25th March 2010 and extended until the 8th April 2010.

A map showing each site as exhibited is at **Attachment 2**.

18 submissions were received, together with responses, and are summarised in the table at **Attachment 3**.

SITE 1 – BOUNDARY ROAD

Property Description: Lots 93, 94, 95 and 96 in DP 753194, Boundary Road

Proponent: Eureka Pty Ltd

Site Area: 127 hectares

Existing Zoning: 1(c1) Rural Small Holdings

Exhibited Amendment: Rural Small Holdings (57 hectares) and Environmental Management (70 hectares)

Key issues raised by submissions

Ten (10) submissions were received in respect to the Boundary Road site. The submissions raised the following key issues:

- Lot size;
 - o Lots of 1000-1500m² are too small;
 - o Small lots on the outskirts of Medowie are inconsistent with the principles of the Strategy;
 - o Lot size is inconsistent with existing surrounding development;
 - o Lot size is too small to retain vegetation;
- Flooding and drainage;
 - o Amendments should wait until completion of Council's drainage study for Medowie;
 - o The permissibility of the proposed dry-wall detention basin within land proposed for Environmental Management;
 - o Potential for stormwater impacts on downstream properties;
- Impacts of development on flora and fauna;
 - o Lot size is too small to retain vegetation;
- Traffic;

- o Potential for traffic hazard at the intersection of Boundary Road and Medowie Road.

PLANNING PROPOSAL

LEP Gateway Determination

The planning proposal was referred to the NSW Department of Planning for a "gateway" determination in December 2009. In response, the NSW Department of Planning advised in June 2010 that the planning proposal should not proceed for the following reasons:

- 1) *There is no demonstrated strategic need for the planning proposal to proceed prior to completion of the review of the Lower Hunter Regional Strategy; and*
- 2) *Important consultation needs to be carried out with the Department of Environment, Conservation, Climate Change and Water and the Port Stephens Comprehensive Koala Plan of Management Steering Committee.*

The Department's response did not give specific direction that the site's location is within a regional green corridor under the LHRS precludes urban development. The Department also advised that:

"If Council resolved to re-submit this proposal, it should do so only after the review of the Lower Hunter Regional Strategy has been completed. The proposal should address the rezoning within the context of that review and within the context of the existing supply of land for rural residential development and the demand for such development. It appears there is already sufficient land already identified in Port Stephens for rural residential development.

The Council should seek the views of the Department of Environment, Conservation, Climate Change and Water, particularly in relation to the impact of the proposal on vegetation communities outlined in Table No. 1 in the Planning Proposal.

Any resubmitted Planning Proposal should address the appropriate minimum allotment size proposed within the context of Council's overall expansion strategy. It should also provide details of consultation with the Port Stephens Comprehensive Koala Plan of Management Steering Committee in relation to the impact of the proposal on "Preferred Koala Habitat".

The proponent is working to address the matters raised.

Advice from NSW Department of Environment Conservation, Climate Change and Water (DECCW)

DECCW provided comment on 19th October 2010 that they do not support the planning proposal in its current form the following reasons:

"...environmental concerns and the location of the land within the Green Corridor identified in the Lower Hunter Regional Strategy and 2009 Update Report. The proposal, in its current form, does not provide adequate biodiversity offsets for the proposed impact of this urban development and the biodiversity offset package offered does not achieve an improve or maintain outcome. Further biodiversity offset measures (for example, modifications to development envelopes or further offsite biodiversity offsets) will be required if this development is to achieve an improve or maintain outcome for biodiversity.

It is acknowledged that some parts of the proposed site are of lower biodiversity value and could potentially support some large lot rural residential development. However, the proposed rural residential lot size of between 1000 and 1500 square metres is unlikely to provide meaningful corridor functionality across the proposed residential areas."

The advice then proceeds to list detailed matters that need to be addressed for further assessment, in the event that it is resubmitted to the Department of Planning for reconsideration. The proponent is working to address the issues raised.

Advice from the Port Stephens Comprehensive Koala Plan of Management Steering Committee

The Committee considered the planning proposal for Site 1 Boundary Road at its meeting on 20th September 2010. Based upon the minutes of the meeting, the comments of the committee are:

- Acknowledgement that the site has some development potential.
- Bushfire Asset Protection Zones need to be contained within the development and not within the biodiversity offset lands.
- Existing Koala habitat is to be taken into consideration during urban planning stages i.e. 88B instruments, no dogs, appropriate fences and large lots to allow for retention of existing trees.
- It was positive that the Koala habitat in the north eastern section was being preserved and although it would be best to also retain the preferred Koala habitat in the south west, it was acknowledged that this section of the habitat was disturbed.
- It was noted that a number of these issues are points that will be resolved during the development application stage rather than the rezoning stage, if the development proceeds.

Land Supply Analysis (by Urbis on behalf of the proponent)

The proponent has submitted information to address questions about the supply of large lot residential/rural residential allotments through a *Port Stephens LGA and Medowie Land Supply Analysis* (Urbis, March 2011). This report does not seek to debate the findings of the submitted analysis in considering Site 1 Boundary Road for inclusion in the Medowie Strategy. It is noted that, if the site is included, it may potentially result in an additional 300 allotments to the existing total of 3105

allotments envisioned under the entire Medowie Strategy, which is intended to be implemented over 20 years. The executive summary of the proponent's submissions provides the following opinion regarding supply and demand:

- *The proposed Boundary Road Medowie residential subdivision should be classified primarily as a large lot residential development with a small component of rural residential;*
- *The projected land supply within Port Stephens LGA will not be sufficient to meet the requirements of the forecast population growth under the Lower Hunter Regional Strategy, and population targets to date have not been met;*
- *Of all locations throughout the Port Stephens LGA, Boundary Road Medowie is proposed to accommodate the only notable content of new Large Lot Residential/Rural Residential supply over the next 25 years;*
- *The subject site comprises a significant development in one ownership which is not constrained like many development areas in Medowie that are impacted by fragmented ownership and environmental constraints that limit their ability to be delivered;*
- *The proposed development will help to address the undersupply of housing in Port Stephens and will provide suitable stock for families who make up the majority of residents that have moved to Medowie in recent years.*

(Urbis March 2011: ii)

Recommendation & Discussion

It is recommended to amend the Medowie Strategy to include Site 1 – Boundary Road as Large Lot Residential (57 hectares) and Environmental Management (70 hectares) as shown in **Attachment 1** (noting the change in terminology of referring to Rural Small Holdings as Large Lot Residential) principally for the following reasons:

- Development of the relatively unconstrained southwest part of the Site for rural residential/large lot residential development is a logical extension of the existing urban footprint and will increase opportunities for future development to meet demand;
- The Site provides the opportunity for a master-planned and coordinated development with a range of lot sizes (including large lot residential allotments along Boundary Road to provide a suitable transition to existing development to the south);
- Significant public benefit is proposed by identifying 70 hectares of land for Environmental Management and transferring that land into public ownership for conservation purposes; and
- Identifying the Site in the Strategy will provide a basis for its potential inclusion in the current review of the *Lower Hunter Regional Strategy* and indicate strategic support for its potential future rezoning and development (including resubmitting the planning proposal for a gateway determination by the NSW Department of Planning at a future date).

In terms of flora and fauna impacts, the south-west part of the Site has a mixture of high, medium and low conservation significance under the current Strategy. It is acknowledged that the development of this part of the site will have some environmental impact; however, biodiversity impacts are primarily proposed to be

managed by biodiversity offsets at the rezoning stage and detailed planning and design of the proposed urban land as part of the development process. The proponent is also working to satisfy the outstanding concerns of The Office of Environment and Heritage (previously DECCW) raised in their correspondence dated 19th October 2010. The planning proposal has also been reviewed by the Port Stephens Comprehensive Koala Plan of Management Steering Committee, who acknowledge that the site has some development potential. The comments of the Committee indicate that they do not object to the planning proposal, but will require existing Koala habitat to be taken fully into consideration and carefully managed during the planning and development process.

Concern about flooding and drainage was a principal issue raised in submissions. With respect to drainage, early indications from the drainage study for Medowie are that flooding and drainage impacts could be managed (this is discussed further under the 'General Issues' section of this report as the issue applies to all sites). As a matter of additional certainty, the proponent has already submitted a study with their planning proposal that indicates how drainage issues can be managed in the event that the land is rezoned and developed.

It is recommended that Site 1 – Boundary Road is included in the Strategy to indicate strategic support for the site, with the following or similar neighbourhood description to guide its development and to assist in addressing comments raised by submissions:

"The Boundary Road neighbourhood will be a cohesively-designed large-lot residential estate able to be completed in stages. Where possible, lot design will be integrated with the adjoining land identified for Environmental Management in order to retain the natural character and amenity values of the site for future residents.

Lot sizes will vary throughout the site, but will generally be 1000-1500m². Acreage allotments will front Boundary Road to provide a transition to existing acreage development on the southern side of Boundary Road. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation.

A Voluntary Planning Agreement will be sought that will require the preparation of a site-specific development control plan - incorporating a staged master plan - for the developable land. The development control plan will seek to maximise retention of vegetation and ecological outcomes and minimise ecological impact, and enforce a high level of development design.

The land identified as Environmental Management will be retained, enhanced and placed into a conservation zone in recognition of the ecological values of the site. The intent is to transfer this land into public ownership as part of the Voluntary Planning Agreement.

In making this recommendation, Council is advised that the NSW Department of Planning's gateway determination to refuse the planning proposal does not preclude Council from considering amending the Medowie Strategy to include Site 1 Boundary Road (although whether the Department will endorse the Medowie Strategy is also another separate matter).

As mentioned previously in this report, the proponent is in the process of addressing the concerns raised by DECCW regarding flora and fauna impacts.

SITE 3 – WAROPARA ROAD NORTH

Property Description: Lot 2 in DP 869411

Proponent: Carman Surveyors

Site Area: 1 hectare

Existing Zoning: 1(c3) Rural Small Holdings

Exhibited Amendment: Rural Small Holdings and Environmental Living

Key issues raised by submissions

The Waropara Road site was addressed in three (3) submissions. The submissions raised the following key issues:

- Lot size;
 - o Lots of 1000-1500m² are too small;
 - o Lot size is too small to retain any vegetation;
 - o Proposed lot size is out of character with existing development;
- Flooding and drainage;
 - o Amendments to the Strategy should wait until completion of Council's drainage study for Medowie.

Recommendation & Discussion

It is recommended to amend the Medowie Strategy to include Site 3 - Waropara Road North as Large Lot Residential as shown in **Attachment 1**.

Site 3 – Waropara Road North is a logical and reasonable addition to the development footprint identified in the Strategy for the Waropara Neighbourhood. Including the Site has merit given its proximity to, and ability to make use of, existing community facilities.

The proponent submits that including the land will enable a more regular shaped development area providing additional yield to assist in cost sharing of required infrastructure.

Drainage may be an issue given the low-lying topography at the rear of the site in proximity to known drainage flow paths. A future planning proposal for the site will need to provide detailed information on flooding and drainage issues and this could require the development footprint to be refined.

In terms of impacts on flora and fauna, the site has low conservation significance under the Medowie Strategy. The front third of the site is generally cleared, however the remaining land is vegetated. If clearing is to take place, biodiversity offsets or a refined development footprint may be required. A detailed assessment of flora and fauna impacts will need to be provided with any planning proposal for the site.

SITE 5 – FERODALE ROAD WEST

Property Description: Lot 106 in DP 1082077

Proponent: Monteath & Powys

Site Area: 5 hectares

Existing Zoning: 1(c1) Rural Small Holdings

Exhibited Amendment: Environmental Living

Key issues raised by submissions

The Ferodale Road West site was raised in twelve (12) submissions. The submissions raised the following key issues:

- Lot size:
 - o The creation of small allotments adjacent to an existing acreage estate (Mahogany Acres) and subsequent impact on amenity, property values and character of the area;
 - o Lots of 1000-1500m² are too small;
- Environmental impacts;
 - o Lot size is too small to retain any vegetation;
 - o Removal of an existing wildlife corridor;
- Flooding and drainage:
 - o Potential for impact on water quality in Grahamstown Dam.

Recommendation & Discussion

It is recommended to amend the Medowie Strategy to include Site 5 – Ferodale Road West as part Large Lot Residential, with a reduction in the area placed on public exhibition, as shown in **Attachment 1**.

In the previous report to Council it was recommended to exhibit the entire site for Environmental Living, primarily because the site provides an opportunity for a coordinated development with adjoining land under the same ownership.

It is recommended to reduce the area identified for potential development compared to the potential development as exhibited.

Identifying the southern part of the site only for a limited expansion only of Large Lot Residential will acknowledge the development potential of that part of the Site that is primarily cleared. This cleared area is a reasonable and logical addition to adjoining land already identified for potential development in the Strategy and under the same ownership, and would address concerns raised by submissions regarding impacts on flora and fauna.

The recommendation also provides a 100m separation to existing acreage development at Mahogany Acres Estate. It seeks to address the comments made in submissions about maintaining the large-lot amenity of existing development in Mahogany Acres Estate, and to contribute towards maintaining the function of the existing wildlife corridor and vegetation on the site.

GENERAL ISSUES

Flooding and Drainage

Flooding and drainage concerns are a common issue raised in submissions. There is particular concern about the impact of development at Site 1 - Boundary Road. The submissions comment that it is prudent to postpone amendments to the Strategy until the drainage study for Medowie is completed, in addition to concerns that Medowie already experiences flooding and drainage problems, and that these may be exacerbated if additional land is developed.

The first draft of Council's *Draft Medowie Drainage Study* (WMA Water, November 2010) has been completed and is under review by the Medowie Floodplain Risk Management Committee, with a view to endorsing it for public exhibition. The study models various scenarios including development that would occur under the Strategy for the 1% flood event. Importantly, it should be noted that the modelled scenarios includes Site 1 - Boundary Road. The draft summary results of the drainage study are as follows:

- Development under the Strategy does not (in most cases) exacerbate peak flood levels during the 1% AEP event. Flood levels are slightly higher in downstream locations where volume issues dominate flood behaviour characteristics (order of 0.1m during the 1% AEP event) but generally there is no measurable impact (analysis rounded to nearest 100mm). The impact identified (0.1m) does seem to be widespread within the Campvale Drain Inundation Area however. That is, future development as proposed, does, for the model scenario examined, exacerbate peak flood levels by approximately 100mm in the Campvale Drain Inundation Area; and
- It may be that future development (and the impact of it) is better examined through long-term modelling. Certainly this would better target one of the main issues with additional development i.e. whether or not inundation patterns in the Campvale Drain Inundation Area are impacted. Of particular note are those events which residents in the Campvale Drain Inundation Area are most worried about i.e. long sequences of wet weather, typically occurring between February and July, which result in the Campvale Inundation Area being wet for extended intervals and denying property owners' access and use of their land.

(WMA Water, November 2010: 41)

The draft results indicate that impacts from urban development under the Strategy – which includes consideration of Site 1 Boundary Road - are generally of no measureable impact, with the apparent exception of some impact on the Campvale Drain Inundation Area.

In considering whether to amend the Medowie Strategy to include additional sites, a point to consider is whether including or excluding the three sites from the Strategy (and in particular Site 1 Boundary Road) would make any significant difference to the findings of the *Draft Medowie Drainage Study*. The draft findings of the *Draft Medowie Drainage Study* indicate that excluding the sites may not make any significant difference.

Any proposal to rezone and develop each site included under the Strategy will need to demonstrate, via detailed investigations, that any flooding and drainage issues are able to be appropriately managed.

It is recommended that the proposed amendments to the Strategy proceed with respect to flooding and drainage issues, and be addressed at rezoning stage, rather than delay amending the Strategy until the *Draft Medowie Drainage Study* is finalised.

Lot Size

The submissions comment that the aims of Environmental Living land use, as set down in the Strategy, will not be met with a lot size of 1000-1500m² because the erection of dwellings and associated infrastructure will require the removal of most, if not all, vegetation. In summary, the issue is that the lot size for Environmental Living is too small to retain vegetation and that Environmental Living is effectively a contradiction in terms. To address this issue a recommendation of this report to amend the Strategy to refer to Rural Small Holdings and Environmental Living as Large Lot Residential, to respond to submissions received, to reflect their true character, and to ensure consistency with their future equivalent zone under the *Standard Instrument – Principal Local Environmental Plan*.

FINANCIAL/RESOURCE IMPLICATIONS

Implementing the recommendations of this report will require the allocation of staff resources in administering the changes and updating the content of the Strategy.

LEGAL, POLICY AND RISK IMPLICATIONS

Includes environmental, social and economic implications

Lower Hunter Regional Strategy (LHRS)

Medowie is recognised as a town in the LHRS with an area identified as a "Proposed Urban Area" with boundaries to be defined through local planning. The Medowie Strategy was subsequently prepared and adopted by Council and it identifies land for potential rezoning. The merit of including Site 1 Boundary - Road, despite its location within a green corridor, is discussed previously in this report.

Port Stephens Community Settlement and Infrastructure Strategy 2007 (CSIS)

The CSIS has reviewed and was the subject of a separate public exhibition and report to Council. The exhibited CSIS identified Site 1 - Boundary Road and Site 5 - Ferodale Road West as potential "New Growth Areas". The small land area of Site 3 – Waropara Road makes it difficult to readily identify on the relevant map.

General Implications

The Strategy is used to provide strategic direction in making planning recommendations and decisions, particularly for rezoning requests. By amending the

Strategy, Council will be indicating its general support for future changes in land use, subject to detailed investigations as part of the rezoning process for each site. The Medowie Strategy and CSIS should demonstrate consistency.

Port Stephens Local Environmental Plan 2000 – Comprehensive Review

A comprehensive review of the *Port Stephens Local Environmental Plan 2000* is being prepared for initial consideration by Council in 2011. The review includes converting existing zones to standard zones under the *Standard Instrument – Principal Local Environmental Plan*. Council is advised that Environmental Living and Rural Small Holding land uses in the Strategy are both likely to be applied as the equivalent zone of R5 Large Lot Residential.

SUSTAINABILITY IMPLICATIONS

The social, economic and environmental implications of adopting the Strategy have been the subject of previous reports to Council. The recommended amendments have similar strategic sustainability implications.

CONSULTATION

The proposed amendments to the Strategy were placed on public exhibition from 25th February to 8th April 2010. 18 submissions were received and are summarised and responded to in the table at **Attachment 3**.

OPTIONS

- 1) Accept the recommendation;
- 2) Amend the recommendation;
- 3) Reject the recommendation.

ATTACHMENTS

- 1) Subject sites as recommended
- 2) Subject sites as publicly exhibited
- 3) Submissions summary table.

COUNCILLORS ROOM

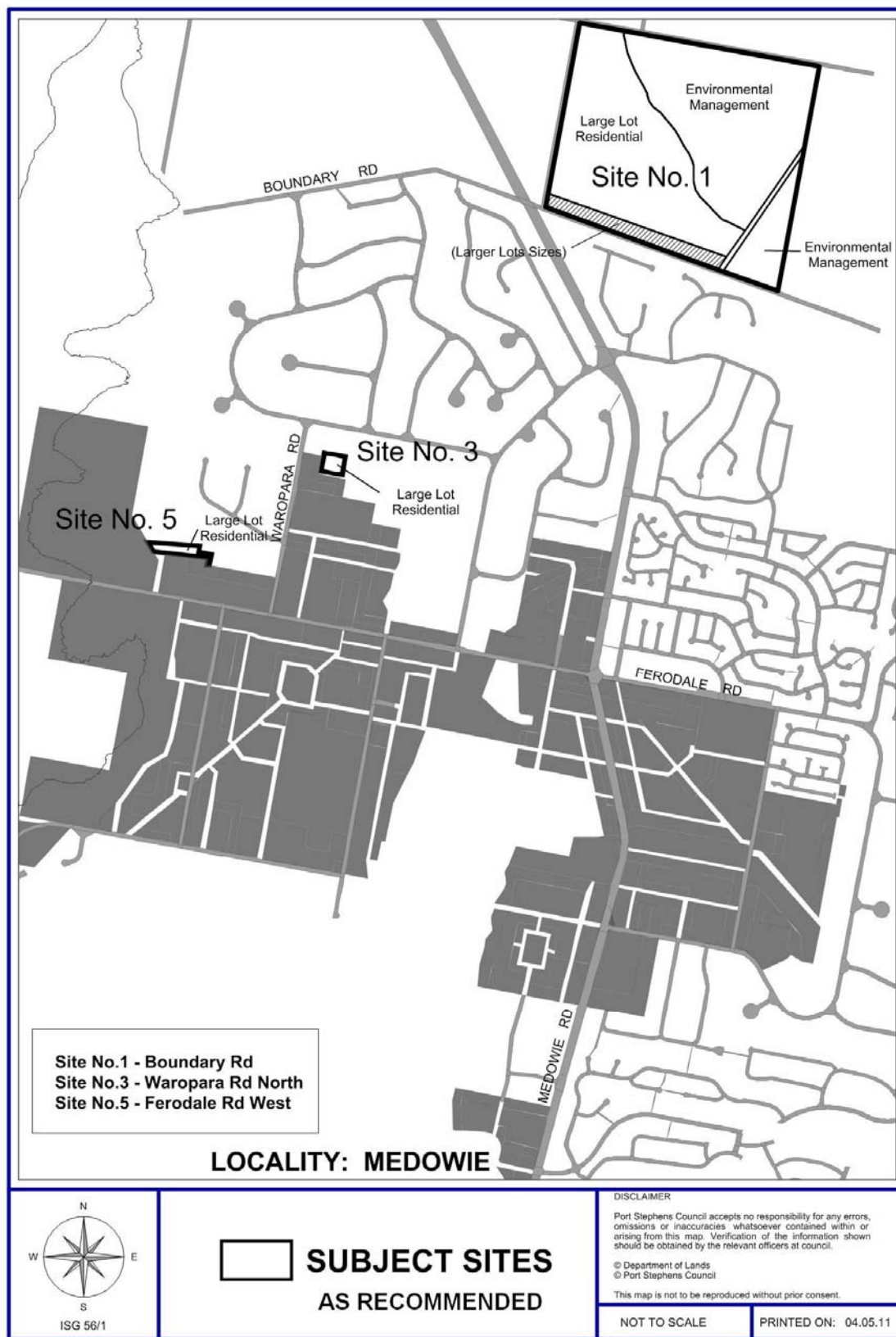
- 1) Medowie Strategy - Amendment Exhibition Folder
- 2) Submission Folder.

TABLED DOCUMENTS

Nil.

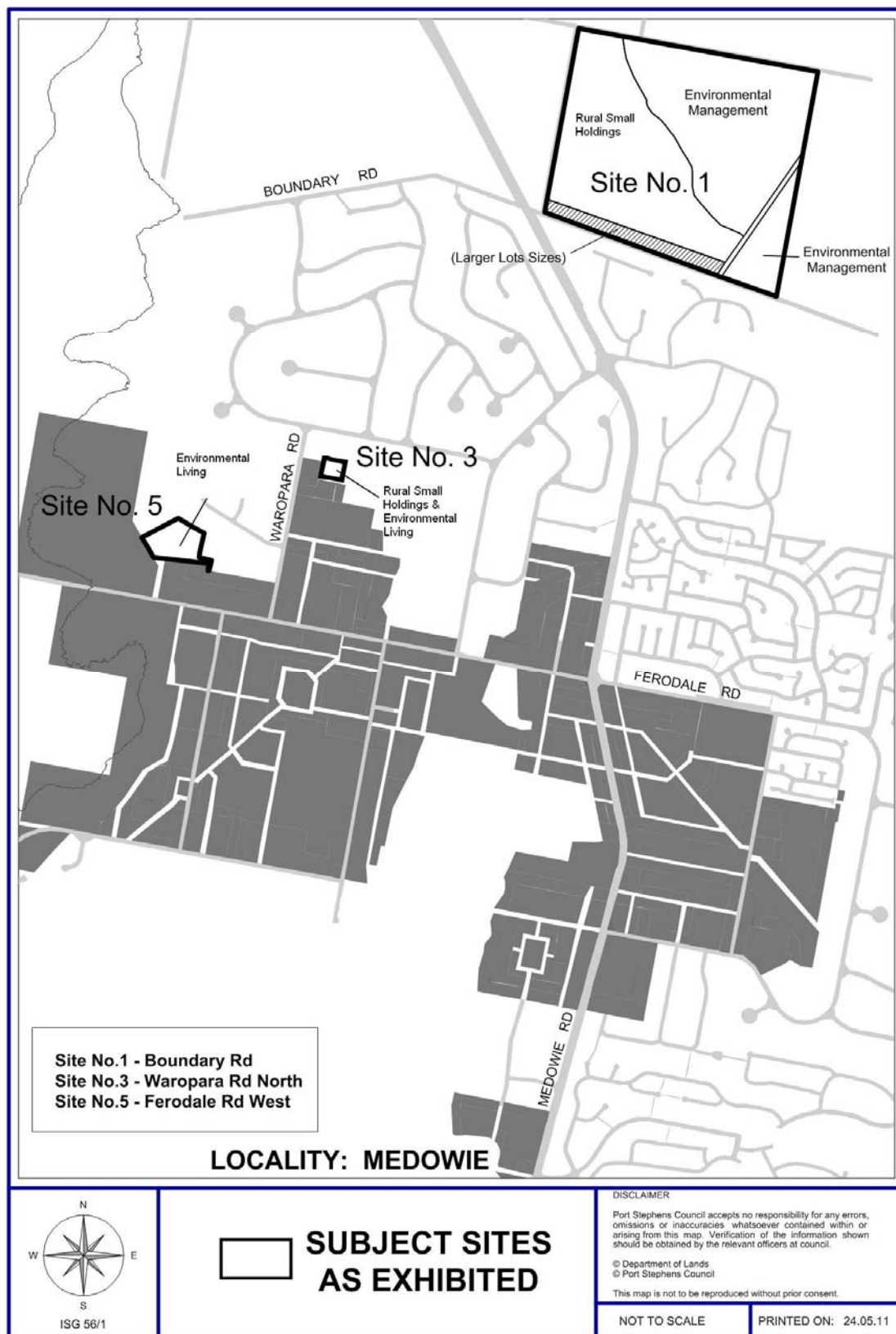
ATTACHMENT 1

Subject sites as recommended



ATTACHMENT 2

Subject sites as publicly exhibited



116 Adelaide Street, Raymond Terrace NSW 2324 Phone: (02) 49800255 Fax: (02) 49873612 Email: council@portstephens.nsw.nov.au

ATTACHMENT 3

Submissions summary table

Submissions Summary Table – Amendments to the Medowie Strategy

Sub No.	Main issues raised	Comments
1 Resident	General The proposed amendments will increase population and amplify demand for services. Council should concentrate on resolving existing infrastructure issues. Site 1 - Boundary Road Proposed lot size is too small and will create a satellite community. Lot sizes should be 4000m2 consistent with the surrounding area. Not convinced that household rainwater tanks will resolve the drainage problems that will occur. Does not support the placement of a dry detention pond on proposed public environmental land. This will cause environmental damage and is unacceptable. Increased traffic turning onto Medowie Road will create a hazard. Site 5 - Ferodale Road West The development will create runoff to Grahamstown Dam. Proposed lot size is too small and will conflict with the existing rural aspect of the area. The area is identified as Koala Habitat. If land is to be developed it should focus on cleared land.	General With the exception of Boundary Road, the sites are only very minor additions to the Strategy. If Boundary Road proceeds the proposal will need to demonstrate adequate provision of and contribution to infrastructure, as part of the rezoning process. The purpose of the Strategy is to identify the potential of the land future development. Site 1 - Boundary Road Lot size within Boundary Road will vary throughout the site but will generally be 1000-1500m2. Larger allotments (approximate size 4000m2 (1 acre) will front Boundary Road to provide a transition to existing acreage development. Larger allotments may also be provided at locations throughout the site to accommodate retention of vegetation. Rainwater tanks will be part of an overall solution to managing drainage on the site. The proposed detention wall will be subject to the approval of Council and DECCW as part of any future rezoning process. The developer will be required to upgrade the intersection of Boundary Road and Medowie Road to appropriate standards to satisfy the needs of any future development. Site 5 - Ferodale Road West Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor.

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Sub No.	Main issues raised	Comments
2 Resident	General A more comprehensive Medowie Strategy should be prepared to avoid continuous amendments. More comprehensive staging criteria for future development are required. Infrastructure needs to precede major developments. A balance of housing density is required to provide for families and individuals of all ages, to provide affordable housing. Site 1 - Boundary Road The recommendation to consider the site for inclusion in the Strategy is not consistent with previous recommendations to Council in 2008 and 2009. No concerns in principle provided that it will not create flooding problems and that proper planning is applied. What is the re-forecast urban capacity report? How will the proposals accelerate the town centre growth and other facility development? What is the effect of these proposed developments on existing developments?	General It is not intended to undertake further amendments to add additional sites to the Strategy. Council is in the early stages of preparing an infrastructure strategy for Medowie. The Strategy provides for a range of development densities. Site 1 - Boundary Road The proposal to include this site is being reconsidered as a new proposal. It has been extensively revised and is significantly different to previous proposals (note: previous proposals were for a standard residential rezoning to facilitate of approximately 1300 allotments, and more recently for a 260 allotment rural residential subdivision across the entire site). The intended lot yield is a maximum of 300 dwellings.
3 Resident	Site 1 - Boundary Road Concerned that development in this site will lead to loss of vegetation, habitat and buffer zone to Medowie State Forest, interfere with natural drainage to Moffats Swamp and encroach on existing semi-rural lots to the south. Agrees if any development is to occur it should be rural holdings in the south west and remainder as environment protection as proposed. Agrees with larger lots adjoining Boundary Road. Would generally prefer larger lots. Site 3 - Waropara Road North No objection Site 5 - Ferodale Road West No objection	Site 5 - Boundary Road Lot size within Boundary Road will vary throughout the site but will generally be 1000-1500m2. Acreage allotments will front Boundary Road to provide a transition to existing acreage development. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation.

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Sub No.	Main issues raised	Comments
4 Resident	General Concerned that after much consultation and changes to the Strategy through due process, changes are being proposed before the original plan has been implemented. Site 5 - Ferodale Road West Objects to the proposed changes to the Strategy for this site. Relocated in the area for amenity with expectation that if any further development occurs it would be acreage lots consistent with existing development. The impact of the development on flora and fauna is contrary to the title Environmental Living. Concerned about the impact upon water running to Grahamstown Dam. Concerned about the possibility of other similar development proposals in the future that will change the character of the area. Decline in property value due to the changing nature of the area.	General Concern about the changes to the Strategy so soon after its adoption are noted. Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas. The comments about lots of 1000-1500m2 being too small to meet the objectives of Environmental Living are noted. Despite this, it is not a recommendation of this report to make a general amendment to lot sizes in the Strategy. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment.
5 Resident	General Constant changes do not help progress. Additional development may assist Medowie provided that it is done using best practice. Site 1 - Boundary Road Development may be beneficial provided that it follows best practice development guidelines.	General Concern about the changes to the Strategy so soon after its adoption are noted. Site 1 - Boundary Road The development is proposed to be subject to a site-specific DCP and master plan that will ensure a high quality development takes place.
6 Resident	General Medowie requires a single comprehensive strategy is required that addresses all matters. If Medowie is to grow it requires better transport, easier access to shops, development of businesses and community infrastructure to support population growth. The Strategy should account for aircraft noise maps.	General The Lower Hunter Regional Strategy and the Port Stephens Community Settlement and Infrastructure Strategy provide overall planning direction for Port Stephens. The Medowie Strategy has been prepared to provide additional detailed guidance. The sites proposed for addition are not subject to ANEF mapping.

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Sub No.	Main issues raised	Comments
7 Resident	Site 1 - Boundary Road Concerned about potential contamination and suggests following the recommendations for this issue in the consultants (HLA) report. The proposal to dedicate part of the site for Environmental Management is supported. The future governing body for this land would need to agree to the detention basin. There is concern about exacerbating existing drainage problems. Concerned about the impact of development on land downstream that is already flood prone. Suggests waiting for the completion of Council's comprehensive flooding and drainage study. Concerned about impact on flora and fauna. Is there a buffer proposed to the EEC? A no dog or cat policy is near impossible to police. There is no guarantee that properties, post development, will retain vegetation. Does there need to be additional offsetting for the impact of the dry retention basin? Does not support any change to zoning as the site contains so much threatened flora and fauna and will add to incremental habitat loss. Site 3 - Waropara Road Comparison of the flood maps shows that part of the land may be flood prone. Inclusion of the site should wait until the comprehensive flooding and drainage study is completed. Site 5 - Ferodale Road West The proposed lot size is not in keeping with surrounding development. The development may lead to erosion problems if trees are removed. The development will remove a wildlife corridor to Grahamstown Dam. Figure A.11 of the Medowie Strategy shows that an endangered ecological community is located on part of the site and part of a wider corridor. Most existing properties operate septic systems. It is not a good idea to encourage further development that relies on septic systems in proximity to Grahamstown Dam. Are there proposed vegetation offset areas to make up for the loss of vegetation? Suggests waiting for the recommendations of the comprehensive flood and drainage study.	Site 1 - Boundary Road The proposed detention wall will be subject to the approval of Council and DECCW as part of any future rezoning process. A buffer is proposed to the EEC, including a ring road. The draft results indicate that drainage impacts from urban development under the Strategy – which includes consideration of Site 1 Boundary Road - are generally of no measureable impact, with the apparent exception of some impact on the Campvale Drain Inundation Area. Under this circumstance, and based on the findings of the Draft Medowie Drainage Study, it would appear that there is no overriding reason not to amend the Medowie Strategy at this time to include the three sites subject of this report. Site 3 - Waropara Road The site is not mapped as flood prone Council's flood prone land maps. Any flooding and drainage issues will be further clarified as part of the rezoning process. Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. Future development will need to be connected to the reticulated sewer system.

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Sub No.	Main issues raised	Comments
8 Resident	Site 5 - Ferodale Road West Objects to proposal. Concerned about the plight of koalas within Port Stephens and Medowie in particular. It is becoming endangered in this region due to habitat loss. This site is identified as koala habitat and it is essential to preserve this vegetation even though some has already been removed. Koalas have been rescued, then relocated in this area in the past four years and it is an important and necessary corridor. The koala is an important tourist attraction for Port Stephens and an international symbol and should be preserved.	Site 5 - Ferodale Road West The recommended development footprint has been reduced to avoid vegetated areas.
9 Resident	Site 5 - Ferodale Road West Objects to the proposal. Residents bought land in Mahogany Acres for lifestyle. The proposal for small block sizes is opposite to the design of existing development and will decrease aesthetic appeal and land values. The proposed development is not more desirable compared to existing agriculture on the site. What consideration has been given to the water catchment of Grahamstown Dam? The development is likely to have a negative impact on water quality. If the development proceeds it will encourage other similar developments. Because the site is under single ownership is not sufficient reason on its own to support development.	Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. Future development will need to be connected to the reticulated sewer system.
10 Resident	Site 1 - Boundary Road Objects to the proposal. Concerned about an increase in stormwater. No decisions should be made until the comprehensive flooding and drainage study is completed. In recent years a significant number of homes in Medowie have been affected by flooding. Council has used significant ratepayer money and resources to address this problem. Any decision should not repeat past mistakes.	Site 1 - Boundary Road The draft results indicate that drainage impacts from urban development under the Strategy – which includes consideration of Site 1 Boundary Road - are generally of no measureable impact, with the apparent exception of some impact on the Campvale Drain Inundation Area. Under this circumstance, and based on the findings of the Draft Medowie Drainage Study, it would appear that there is no overriding reason not to amend the Medowie Strategy at this time to include the three sites subject of this report.

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Sub No.	Main issues raised	Comments
11 Resident	Site 1 - Boundary Road Objects to the proposal. Environmental Living lots of 1000-1500sqm is a contradiction in terms. The lot size would need to be at least 4000sqm to achieve the aims of the Environmental Living zone. Existing 2000sqm lots in Medowie show a lack of trees; bushfire requirements will create additional clearing; due to soil type any trees near dwellings will create a hazard and will need to be cleared; clearing will be required for services. The proposal for a dry detention basin needs to be agreed to be DECCW. Its permissibility needs to be confirmed. The applicant's drainage study implies no increase in water flow to Moffats Swamp. This issue should be confirmed by the comprehensive flooding and drainage study. Consideration should be given to increasing lot size of Environmental Living to 4000m2.	Site 1 - Boundary Road The comments about Environmental Living lot size have merit. However, it is not a recommendation of this report to change the lot sizes already adopted for the Strategy. Lot size within Boundary Road will vary throughout the site but will generally be 1000-1500m2. Acreage allotments will front Boundary Road to provide a transition to existing acreage development. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation. The proposed detention wall will be subject to the approval of Council and DECCW as part of any future rezoning process. The draft results indicate that drainage impacts from urban development under the Strategy – which includes consideration of Site 1 Boundary Road - are generally of no measureable impact, with the apparent exception of some impact on the Campvale Drain Inundation Area. Under this circumstance, and based on the findings of the Draft Medowie Drainage Study, it would appear that there is no overriding reason not to amend the Medowie Strategy at this time to include the three sites subject of this report.

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Sub No.	Main issues raised	Comments
12 Resident	General Residents are disappointed that within 12 months of adoption and 5 of years consultation the Strategy is already being amended. Site 1 - Boundary Road Medium density housing on the outskirts of Medowie is not supported by the Medowie Strategy. Stormwater drainage problems for adjoining land. It is doubtful that the proposal for stormwater on adjoining land is either practical or will be approved. There has been no test of water volumes and flow against the Council flood study. Site 3 - Waropara Road Medium density development is out of character with the rural atmosphere. Drainage problems with stormwater directed to Kula Road flood zone. Environmental Living is a contradiction in terms requiring removal of all natural vegetation. Proposal will result in the destruction of koala habitat. Site 5 - Ferodale Road West The proposal will create an isolated enclave of medium density development out of character with the rural atmosphere. Environmental living is a contradiction requiring removal of all vegetation. Polluted drainage will be directed towards Grahamstown Dam. Fringe development is against the principles of the Medowie Strategy.	General Concern about the changes to the Strategy so soon after its adoption are noted. Site 1 - Boundary Road Lot size within Boundary Road will vary throughout the site but will generally be 1000-1500m2. Acreage allotments will front Boundary Road to provide a transition to existing acreage development. Larger allotments may also be provided at locations throughout the site to encourage retention of vegetation. The draft results indicate that drainage impacts from urban development under the Strategy – which includes consideration of Site 1 Boundary Road – are generally of no measureable impact, with the apparent exception of some impact on the Campvale Drain Inundation Area. Under this circumstance, and based on the findings of the Draft Medowie Drainage Study, it would appear that there is no overriding reason not to amend the Medowie Strategy at this time to include the three sites subject of this report. Site 3 - Waropara Road The site is a minor extension of an area already identified for future land use change under the Medowie Strategy. The site is not mapped as flood prone Council's flood prone land maps. Any flooding and drainage issues will be further clarified as part of the rezoning process. Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. Future development will need to be connected to the reticulated sewer system.

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Sub No.	Main issues raised	Comments
13 Resident	Site 5 - Ferodale Road West Purchased acreage land in Mahogany Acres Estate for lifestyle reasons. The original developer was required to leave a 'green belt' at the rear of properties. This land was intended to provide a buffer to future development. Existing acreages range from 2 acres to 8 acres. This is very different to the proposal for 35 x 1000-1500sqm lots. A minimum size of 2 acres is more appropriate. Property values in Mahogany Acres will decrease if the proposal proceeds. If 35 lots are developed there will be significant additional traffic that will be accessed via a 'dog-leg' entrance. Existing properties in Mahogany Acres have retained most of the original vegetation. Any vegetation that is left on the proposed site will be removed by development. Development will not 'meld' with existing Mahogany Acres. Concerned about the impact of runoff from 35 additional homes on water quality.	Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. Future development will need to be connected to the reticulated sewer system.
14 Resident	Site 5 - Ferodale Road West Objects to the proposal. Purchased property in Mahogany Estate for lifestyle reasons. A 'green belt' was required at the rear of properties for a variety of reasons including separation to HWC land, a wildlife corridor and country lifestyle. The proposal contradicts expectations of protection of the green belt. The proposal will create a suburban area adjoining a country estate. The size of the lots should be no smaller than 2 acres to maintain the character of the area. The proposed lot size of 1000-1500sqm will result in clearing the land. The land has already been cleared of everything but large trees. Review of existing 2000sqm lots in Medowie shows a lack of original trees. Further clearing for bushfire and infrastructure will occur. Any change in zoning should be consistent with surrounding zoning. 4000sqm lots fronting Ferodale Road and remaining 10000sqm. Other land in Medowie is already cleared and should be developed first. Medowie is well known as koala habitat and any significant reduction in vegetation will have an impact. Lot size of 1500sqm will not allow sufficient vegetation for the koala to survive.	Site 5 - Ferodale Road West The proposed lot size is retained but the recommended development footprint has been reduced to provide a buffer to existing acreage allotments. The recommended development footprint has been reduced to avoid vegetated areas and maintain a wildlife corridor. Water quality will need to be managed as part of any future development. Any rezoning will also be referred to HWC for comment. Future development will need to be connected to the reticulated sewer system.