

EXTRACT FROM MINUTES OF ORDINARY MEETING – 27 JANUARY 2016
STAFF REPORTS

5 PLANNING PROPOSAL FOR Lot 612 DP1160096 BLACKHEAD ROAD, HALLIDAYS POINT (S1250)

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SUMMARY

Council has received a planning proposal for Lot 612, DP 1160096, Blackhead Road, Hallidays Point which seeks to rezone the land R1 General Residential zone, and E3 Environmental Management (E3) zone to protect an area with ecological value. The proposed zone change provides for the planned extension of the Tallwoods Village.

RECOMMENDATION

- (i) That the planning proposal for Lot 612, DP 1160096. Blackhead Road, Hallidays Point be forwarded to the Department of Planning and Environment for a Gateway Determination.
- (ii) That community consultation be undertaken in accordance with the requirements of the Gateway determination.

BACKGROUND

On 16 December 2015 a planning proposal was lodged to expand the Tallwoods Village by amending the *Greater Taree Local Environmental Plan 2010* to rezone Lot 612, DP 1160096 Blackhead Road, Hallidays Point to the R1 General Residential zone and the E3 Environmental Management zone to protect an area with ecological values.

The subject land is approximately 17 ha in size and is bordered by rural land to the east and west, Blackhead Road to the south and the existing Tallwoods Village to the north (see photo at right). The site is currently zoned RU1 Primary Production and is used for low intensity grazing activities.



This planning proposal is in the initial stages of assessment as shown below.

Application lodged (Dec 2015)	Council report (Jan 2016)	Gateway Determination (Mar 2016)	Provide reports and consult on planning proposal (Aug 2016)	Consider submissions. Report to Council (Sept 2016)	Seek Parliamentary Counsel opinion (Oct 2016)	Minister approve rezoning (Nov 2016)
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DISCUSSION

This site has been identified for residential development in local (*Hallidays Point Development Strategy 2000*) and regional (*Mid North Coast Regional Strategy 2006-2031*) strategies for over 16 years. This proposal is consistent with the strategies and is a logical extension of the Tallwoods Village.

The planning proposal (see attachmet i) addresses the following issues which were considered appropriate for the development of the land for residential purposes:

- Ecological: an ecological assessment identified that there is a freshwater wetland located in the small ephemeral gully crossing the north east corner of the site. It was important to not only retain the wetland, but also ensure drainage to the wetland was maintained. To address this issue this area is proposed to be included in the Environmental Management (E3) zone for protection.
- European heritage: the site is not listed as a heritage item in LEP 2010 and does not contain any potential items.
- Drainage: the existing natural drainage corridor in the north east corner of the site will be placed into the Environmental Management (E3) zone. Further drainage plans will be included at the development application stage to address the local drainage.
- Traffic: the proposal does not include a subdivision layout. This level of detail will be provided in a future development application for subdivision. Current plans for the development of Tallwoods Village shows that a satisfactory road network can be provided through the site. No additional information is required at this time.
- Planning need: for over 16 years this site has been identified for residential development. While there are a number of vacant residential lots available within the Tallwoods Village they are often constrained by steep slopes. Proceeding with this proposal will provide land for housing with minimal constraints.
- Strategic Context: this proposal is consistent with both the *Hallidays Point strategy 2000* and the *Mid North Coast Regional Strategy 2006-2031* which identify this site for urban expansion.

The following issues will be addressed following a Gateway Determination:

- Contaminated land: given the agricultural use of the site there is a need to investigate whether soil contamination has occurred. Whilst this likelihood is low an investigation will be undertaken after the Gateway determination to determine if remediation is required to be undertaken.
- Bushfire protection: the subject land is partly identified as Bushfire Prone Land. As a result, consultation with the NSW Rural Fire Service will be undertaken prior to exhibition to ensure that there is no objection to development of the land and that suitable asset protection zones can be implemented if required.
- Aboriginal cultural heritage: an Aboriginal Heritage Information Management System search was undertaken. No sites or places on the land or surrounding area were identified. Consultation with OEH will determine if any additional assessment is required. OEH requires most rezonings to prepare an Aboriginal Cultural Heritage Assessment which can take a minimum of 4 months to undertake.

Based on the initial assessment of these additional issues it is expected that any impacts can be ameliorated. The applicant requested that these studies be undertaken when there is a clear direction for the proposed rezoning (after a Gateway Determination). The findings of these studies will then be used to revise the planning proposal, proposed zone boundaries and any possible changes to development controls.

Given the planning proposal is consistent with the planning intent for Hallidays Point, key issues have been addressed and subsequent studies are to be undertaken; it is proposed that the planning proposal be referred to the Department of Planning and Environment for a Gateway determination.

CONSULTATION

Consultation with Asset Planning, Regulatory Services and Environmental Services was undertaken in assessing the planning proposal. No concerns were raised to the proposed zone change.

The Gateway determination will outline the community consultation requirements for this project. We will recommend to the Gateway panel a 28 day period for consultation in accordance with our standard practice for such applications.

Consultation with the following government agencies will be undertaken following a successful Gateway determination:

- NSW Rural Fire Service (RFS) and
- NSW Office of Environment and Heritage (OEH)

COMMUNITY IMPACTS

Currently no adverse community impacts have been identified. Any issues that arise from community consultation will be reported to Council following exhibition of the proposal.

TIMEFRAME

The Gateway determination will provide a timeframe for state agency consultation, community consultation and completion of the planning proposal. Generally, planning proposals have a timeframe of 12-18 months to complete following a positive Gateway determination.

BUDGET IMPLICATIONS

All required studies and fees for the planning proposal have been, and will continue to be, incurred wholly by the applicant. The application is assessed on a user-pays basis.

STATUTORY OR LEGISLATIVE REQUIREMENTS

The planning proposal has been prepared in accordance with *A guide to preparing planning proposals* as required under Section 55(3) of the *Environmental Planning and Assessment Act 1979*.

ATTACHMENTS

[Planning proposal](#)

(Due to the size of the document, it is only available electronically)

10	5 PLANNING PROPOSAL FOR Lot 612 DP1160096 BLACKHEAD ROAD, HALLIDAYS POINT (\$1250) <i>MOVED</i> Cr Jenkins/West (<i>as per recommendation</i>) (i) That the planning proposal for Lot 612, DP 1160096. Blackhead Road, Hallidays Point be forwarded to the Department of Planning and Environment for a Gateway Determination. (ii) That community consultation be undertaken in accordance with the requirements of the Gateway determination. CARRIED For: Jennison, Bell, Epov, West, Keegan, Tickle, Jenkins, Christensen & Hogan.
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