



PLANNING PROPOSAL

Fort Wallace

Version 1.0 - Council endorsed

For Gateway Determination

November 2017

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For more information visit:
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Planning Proposal - Fort Wallace

Introduction

This planning proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (NSW). It explains the intended effect of a proposed local environmental plan (LEP) and sets out justification for making the plan.

'A guide to preparing planning proposals' has been used to guide and inform the preparation of this planning proposal.

This planning proposal is for everyone. It will be used to decide whether the proposal should proceed or not.

Summary of proposal

Proposal	To rezone the Fort Wallace site from SP2 Infrastructure (Defence) to R2 Low Density Residential, RE2 Private Recreation and E3 Environmental Management and amend controls relating to building height, lot size and heritage.
Property Details	338 Fullerton Street, Stockton (Lot 100 & 101 DP 1152115)
Applicant Details	Defence Housing Australia

Background

Council has received a request to amend Newcastle Local Environmental Plan (LEP) 2012 in order to enable the land to be used for mixed purposes, including residential and recreational. The site was previously owned by the Department of Defence and was recently transferred to Defence Housing Australia (DHA) to provide housing for Defence members and family. The request will allow for approximately 100 dwellings, half of which are to house Defence members and family and the remainder to be placed in private ownership. The site was considered a good option to house defence members due to proximity to Williamstown RAAF base, the Stockton commercial centre and Newcastle city centre.

The site is currently vacant and contains a number of disused defence related buildings and infrastructure. The most significant items include the gun emplacements, observation tower, radio station, casualty station, search lights, drill hall, administration building and plotting room. These items are listed on the Commonwealth Heritage List as they reflect Australia's development as a nation. The concept plan prepared for the site, proposes that the bulk of these military items form a Heritage Precinct Park. Options exist to adapt some of the scattered buildings for other uses such as a community facility, kiosk or café or tourism related.

The planning proposal has been informed by various strategic and technical assessments, including preparation of an Urban Design and Landscape Report. Investigations to understand the site's unique character, sensitivities, constraints and opportunities are documented in the Urban Design Report. The concept plan was formed as part of this process. It shows the sites potential to provide housing and directly relates to proposed zone boundaries, height controls and the draft DCP prepared to implement the vision for the site.

A completed 'Information Checklist' is provided at **Appendix A**. It identifies issues considered in the preparation of this planning proposal.

Site

The proposal concerns land at 338 Fullerton Street, Stockton and is legally referred to as Lots 100 & 101 DP 1152115.

The Fort Wallace site is approximately 32 hectares in size. The Stockton Centre, a residential care facility for people with disability, is located north of the site and a decommissioned wastewater treatment works to the south. The site runs along Fullerton Street. To the east is Stockton Beach. The Hunter River or "Hunter Estuary", which contains nationally recognised (Ramsar) wetlands, is west of Fullerton Street. See **Figure 1** Local context of the site.

The site is formally accessed by a single entry off Fullerton Street. There is also an emergency access track off Fullerton Street. It is a 16 minute car trip (approximately 15km) to the RAAF base at Williamtown, 25 - 30 minute car trip or short ferry ride to Newcastle city centre and 4 minute car trip to Stockton commercial centre.

There is a shared path between the site and Stockton ferry terminal. It is located on the opposite side of Fullerton Street.

Key features of the site include:

- significant military heritage
- importance to local Aboriginal community
- undulating topography with a mix of disturbed native vegetation and introduced species, ie. bitou bush
- a modified landform due to previous defence related uses.

The site is currently zoned SP2 Infrastructure for Defence purposes in the Newcastle LEP 2012. It is vacant, non-operational and inaccessible to the public. Defence ceased activity on the site in 2003. The most recent use of the site was accommodation for the Australian Navy (see **Figure 2** Air photo of the site).

Figure 1 - Local context of the site

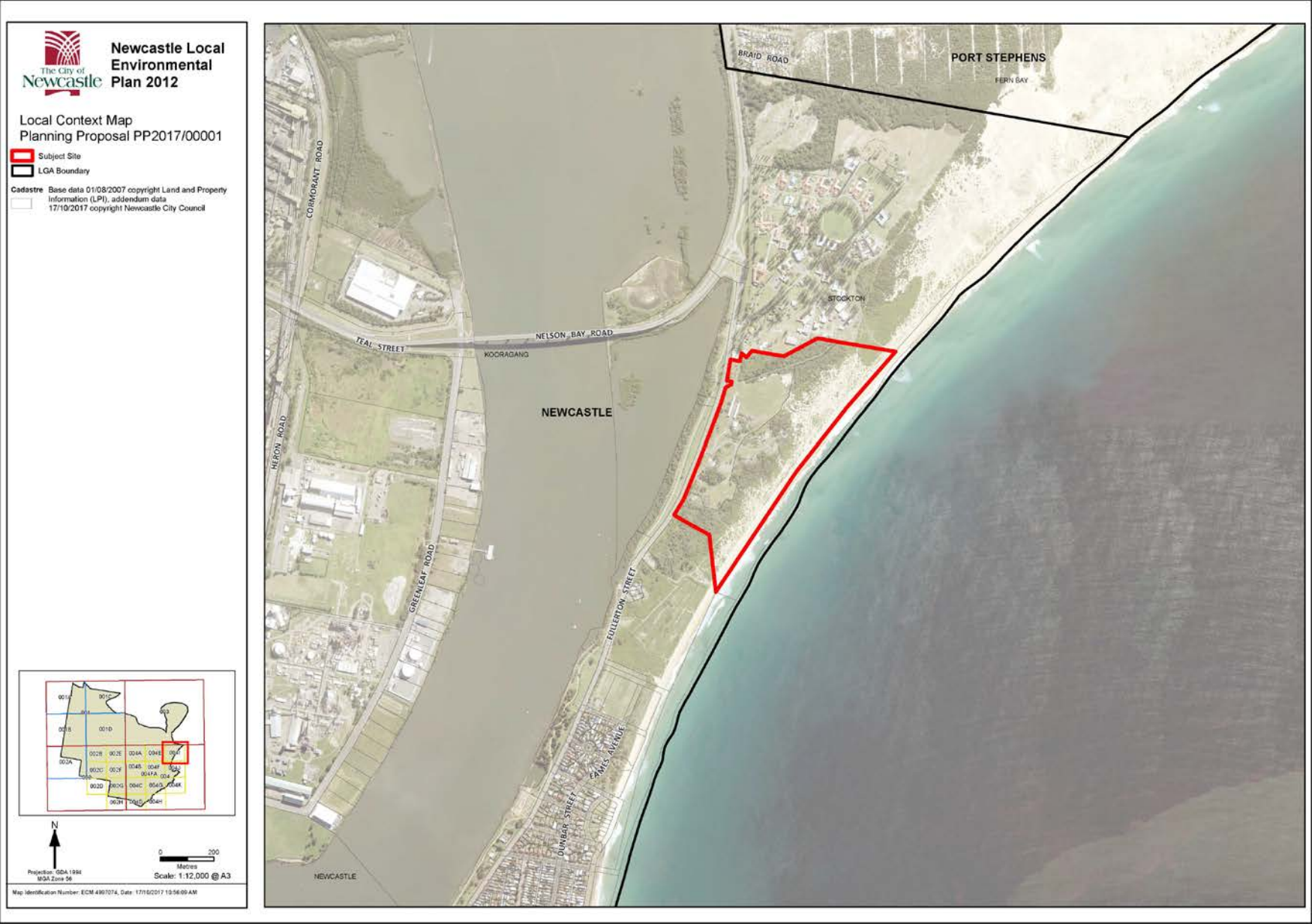


Figure 2 - Air photo of the site



Part 1 - Objectives or intended outcomes

To amend the Newcastle LEP to allow a diversity of housing on part of the site that is cleared or highly disturbed due to previous defence related uses. Approximately 100 dwellings are proposed. See **Figure 3** for concept plan. The amendment will enable the remainder of the site to be used for recreational purposes and protection or enhancement of the natural environment and heritage contained on the site.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by making the following amendments to the Newcastle LEP 2012:

- Rezoning the site from SP2 Infrastructure (Defence) to part R2 Low Density Residential, part RE2 Private Recreation and part E3 Environmental Management.
- Introducing a varied approach to heights and lot sizes** across the site, to reflect the typologies proposed in the concept plan. Heights vary from 8.5m (approximately two storeys) for single dwellings, cluster housing and town house style development and 11m and 14m for apartments. A maximum height limit of 8.5m is proposed for the remainder of the site.
- Including the site as a local item within Schedule 5 Environmental Heritage.

Refer to **Part 4 - Mapping** for proposed maps.

Figure 3 - Concept plan - Fort Wallace



*** Further explanation on lot sizes: Smaller lots (such as 200sqm) to accommodate cluster housing and townhouses are considered appropriate in order to create housing choice. The recommended option is to create 200sqm lots by applying clause 4.1A Exceptions to minimum lot size. This approach is considered a means to achieve diversity. A development application would be lodged for the development and subdivision of land to create multiple lots. The other option is by applying clause 4.6 Exceptions to development standards. It is considered that sufficient justification has been provided as part of this planning proposal.*

Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not a result of a strategic study or report. However, it is considered consistent with many aspects of the Local Planning Strategy (LPS). In 2011, census data, used to inform the LPS indicated that existing housing stock in Stockton were dominated by single dwellings (with 3+ bedrooms) and that lone person households accounted for 34% of all households. This household type is expected to be the fastest growing household type into 2031. Recent census data reflect this same scenario. An objective of the planning proposal is to deliver a mix of housing types (and bedrooms) including single dwellings, clusters, townhouses and apartments.

The planning proposal is also considered consistent with the following neighbourhood vision and objectives for Stockton:

Vision

The existing beach and harbour side character and historic identity of Stockton will be protected and enhanced.

Objectives

- Encourage development that is sympathetic to the existing character of Stockton.
- Future development considers coastal erosion processes.

The proposed bulk and scale for the proposed residential development is considered appropriate. Testing of designs and an analysis of the site demonstrates that the development can respond positively to the sloping topography and coastline.

The site is likely to be affected by coastal erosion by 2100. No development is proposed within this area, which is consistent with Council's recently adopted Coastal Zone Management Plan 2016. This area of the site, along the beach, is proposed to be included in the E3 Environmental Management Zone.

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

Yes, amending the Newcastle LEP 2012 is considered the best means of achieving residential development (for everyone not just defence members), creating recreational opportunities and further enhancement and protection of the natural environment and heritage at the Fort Wallace site.

Section B - Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HRP) is the NSW government's plan to guide land use planning and infrastructure priorities and decisions over the next 20 years. The plan includes an overarching vision for the Hunter Region, supported by four goals, directions and actions. It also contains local government narratives.

The planning proposal is considered consistent with the HRP, particularly in relation to the following components:

Vision

“The leading regional economy in Australia with a vibrant new metropolitan city at its heart”

Housing is required for defence members and family. The defence sector is considered a major employment generator for the region. The HRP recognises this. The site at Fort Wallace can accommodate additional and diverse housing to support defence employees as well as the general community. Fort Wallace is well located, in proximity to the RAAF base at Williamtown, the Stockton commercial strip along Mitchell Street and the Newcastle city centre.

Redevelopment of the site will allow for the creation of recreational facilities and related activities while enhancing and protecting the natural environment. The concept plan and proposed controls reflect such uses. The opportunity also exists to use existing infrastructure such as heritage building and roads.

Directions of relevance

Direction 7: Develop advanced manufacturing, defence and aerospace hubs. This Direction highlights the defence as an important sector contributing to the economy of the hunter region. The defence sector directly relates to housing, logistics, technology, education and manufacturing industries. The Australian Government is seeking to grow the defence and aerospace industries in and around the RAAF base at Williamtown and has committed to upgrading national air defence infrastructure in the precinct.

Direction 9: Grow tourism in the region. The site holds opportunities for visitors to enjoy and learn about the sites unique and multi layered heritage and admire the scenic coastal views. The proposed controls will ensure important views are protected, which is detailed in the HRP as being appealing to visitors.

Direction 14: Protect and connect natural areas. The residential component of the concept plan is proposed to be located on cleared or highly disturbed parts of the site, eg accommodation for the Australian Army. The site was cleared prior to the construction of the fort for the development of a rocket brigades storage shed. The shed contained heavy rocket propulsion gear and cables used to carry life lines to ships in distress. The ecological assessment (**Appendix B**) undertaken to support the planning proposal (and inform the concept plan) discusses the highly disturbed nature of the native vegetation on the site but it still is important to provide habitat for certain fauna species, particularly bats, flying foxes and birds. The sandy dunes are considered important for migratory birds. The proposed zoning is considered the best mechanism to ensure ongoing protection. These areas are proposed to be located within the E3 Environmental Management Zone. Opportunities exist to provide better connections to these areas.

Direction 16: Increase resilience to hazards and climate change. The HRP discusses the vulnerabilities faced by coastal communities, particularly due to coastal erosion and bushfire impacts. No development is proposed within the area likely to be impacted by coastal erosion. This is in accordance with Council's recently adopted Coastal Zone Management Strategy, 2016. The Bushfire Assessment (**Appendix C**) prepared to inform the concept plan and support the planning proposal indicates that bush fire risks needs careful management but would not prevent a rezoning to allow for residential development on the site.

Direction 17: Create healthy built environments through good design. The Urban Design and Landscape Report (**Appendix D**) details the process undertaken to achieve good quality built design. This detail has been incorporated into the draft site specific Development Control Plan.

Direction 18: Enhance access to recreational facilities and connect open space. As discussed opportunities to deliver this direction are available and identified in the concept plan, related urban design report and proposed zoning / controls in the planning proposal. A park, including a playground, heritage precinct park, adaptive reuse of buildings to accommodate a café and for education purposes exist and can be accommodated in the redevelopment of the site.

Direction 19: Identify and protect the region's heritage. The HRP states that cultural heritage is important to communities as it provides tangible connections to the past. Heritage items can also attract tourism, which can contribute to local economies. There is potential to adaptably reuse certain heritage buildings /structures to accommodate more uses.

Direction 22: Promote housing diversity. Housing diversity is a key objective of the concept plan for the site.

Direction 24: Protect the economic functions of employment land. The planning proposal to allow a rezoning supports the function of the nearby Williamstown RAAF base and the sustainability of the defence sector in the region by delivering housing.

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

Newcastle 2030 Community Strategic Plan


The Newcastle Community Strategic Plan (CSP) reflects the community's vision for the city and is Council's guide for action. It contains the strategies to be implemented and the outcomes that will indicate achievement of the defined goals. Council adopted the Newcastle 2030 Community Strategic Plan in February 2011. It was revised and updated in 2013. The following relevant strategic directions and their objectives from the Newcastle CSP are addressed in relation to this planning proposal.



Open and Collaborative Leadership

The planning proposal primarily aligns to the strategic direction 'Open and Collaborative Leadership' identified within the Newcastle 2030 Community Strategic Plan.

Compliance with the LEP amendment process, in particular section 57 – community consultation of the *EP&A Act 1979*, will assist in achieving the strategic objective to “Consider decision-making based on collaborative, transparent and accountable leadership” and the identified strategy 7.2b to “Provide opportunities for genuine and representative community engagement in local decision making”.




A Connected City

Transport networks and services have been considered in the redevelopment of the site to allow for 100 dwellings and is supported.




A Protected and Enhanced Environment

The planning proposal aims to maintain, enhance and better connect the natural environment on the site. Environment and climate change risks and impacts are understood and managed through appropriate zoning.




Vibrant and Activated Public Places

The aim to enable a vibrant and activated place, where culture, heritage and place is valued, shared and celebrated is envisaged as the site redevelops and social connections can strengthen. Passive surveillance has been assessed in the preparation of the concept plan.



A Caring and Inclusive Community

The planning proposal aims to allow a mixed community (50% defence members and family and 50% privately owned). Opportunities exist to strive for caring and inclusive community at Fort Wallace.



A Liveable and Distinctive Built Environment

An objective of the planning proposal is to maintain and enhance the history of Fort Wallace. A diversity of housing is also proposed, which supports this direction.



A Smart and Innovative City

The planning proposal can create educational opportunities associated with its rich history.

Local Planning Strategy


The Local Planning Strategy was adopted by Council in 2015. It was prepared in accordance with the CSP.

The strategy is a comprehensive land use strategy prepared to guide the future growth and development in Newcastle to 2030 and beyond. It underpins the LEP. Consistency with the LPS has been discussed throughout this planning proposal. The planning proposal is consistent with the strategic directions contained within the LPS, particularly as it seeks to create more housing choice on part of the site while striving for protection or enhancement of the natural environment and heritage on the other.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of the planning proposal against the relevant SEPPs is provided in **Table 1 - Relevant State Environmental Planning Policies**.

Table 1 - Relevant State Environmental Planning Policies

Relevant SEPPs	Consistency and Implications
<p>SEPP 14 (Coastal Wetlands)</p>  <p>SEPP14 Coastal Wetlands</p>	<p>The planning proposal can satisfy the requirements of the SEPP to ensure that proposed development does not impact on coastal wetlands to ensure ongoing preservation and protection. SEPP 14 Coastal wetlands are located to the east of the site.</p> <p>An assessment of significance (See Appendix B) concluded that, based on the current concept plan, the proposed rezoning was unlikely to result in a significant impact on threatened species occurring or potentially occurring in the Study Area. Furthermore, due to the nature of the proposed rezoning and that no direct or indirect impacts are likely to occur on surrounding lands, it is unlikely that the proposed rezoning would impact the Hunter Estuary Wetlands Ramsar Site or Stockton Sandspit known to provide habitat for EPBC Act-listed threatened and migratory species. See Appendix E for Stormwater Report.</p> <p>Any changes to the concept plan following this assessment, as part of a future development application, will require a revised Assessment of Significance under the EPBC Act.</p>
SEPP 44 (Koala Habitat Protection)	<p>The planning proposal can satisfy the requirements of the SEPP. The Ecological Assessment in Appendix B concluded that the site does not contain koala habitat. No evidence of koala habitat was found.</p>
SEPP 55 (Remediation of Land)	<p>The planning proposal can satisfy the requirements of the SEPP. A Site Audit Statement (and Report) has been prepared and provided at Appendix F. The site has been remediated to meet certain standards to allow a rezoning of land to facilitate housing and recreational activities. More detail is provided in the Statement.</p>
SEPP 64 (Advertising and Signage)	<p>The planning proposal can satisfy the requirements of the SEPP.</p>
SEPP 65 (Design Quality of Residential Flat Development)	<p>The planning proposal can satisfy the requirements of the SEPP. The Urban Design and Landscape Report (Appendix D) was used to guide the draft site specific DCP. The designs and controls were informed by SEPP65 design quality principles and <i>Apartment Design Guide</i>. Council's design review panel, (UDCG) reviewed the controls, provided advice and informed the draft DCP and planning proposal. Overall, the panel showed support for the proposal.</p>

Relevant SEPPs	Consistency and Implications
SEPP 71 (Coastal Protection)	<p>The planning proposal can satisfy the requirements of the SEPP. Fort Wallace is located within the coastal zone which means careful planning and management is required in the redevelopment of the site. In accordance with the SEPP, a concept / master plan has been prepared to not negatively impact the natural, cultural, recreational and economic attributes on the site. Due to the highly disturbed nature of the natural landscape at Fort Wallace (including significant weed invasion such as bitou bush at present) there is an opportunity to improve the quality of vegetation, which in turn can lessen impacts of coastal erosion.</p> <p>A Coastal Engineering Report was prepared to guide the concept plan and support the planning proposal. It can be found at Appendix G. All proposed development is landward of the Council adopted 'unlikely 2100 hazard line' so it satisfies requirements.</p> <p>The Urban Design and Landscape Report (Appendix D) documents the process undertaken to ensure appropriate type, bulk and scale of development in this sensitive setting. The heritage documentation, including Aboriginal Cultural Heritage and Archaeological Assessment Report (Appendix H) supports the aims of the SEPP.</p>
SEPP (Building Sustainability Index: BASIX) 2004	The planning proposal can meet BASIX requirements and satisfy overall requirements of the SEPP.
Draft Coastal Management SEPP 2016	The planning proposal can satisfy the requirements of the SEPP. See above comment on coastal management. An E3 Environmental Management Zone is proposed for the more sensitive parts of the site, eg landward of the 2100 unlikely hazard line.


6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

An assessment of the planning proposal against the relevant Ministerial Directions is provided in the **Table 2**.

Table 2 - relevant Ministerial Directions (Section 117 directions)

Relevant Section 117 Directions	Consistency and implications
1. Employment and Resources	
1.4 Oyster Aquaculture	<p>The NSW Oyster Industry Sustainable Aquaculture Strategy, 2006 identifies the proposed discharge area as a 'Priority Oyster Aquaculture Area' in the Hunter River. A Stormwater Assessment (Appendix E) has been undertaken to consider potential impacts and concluded that proposed rezoning to accommodate residential development as outlined within the concept plan will not directly impact the oyster aquaculture area, though stormwater runoff from the site has the potential to harm healthy oyster growth.</p> <p>It is also noted that the existing developed site does not utilise appropriate treatment systems and therefore it is anticipated that suitable provision of treatment will enhance the stormwater quality discharged from the site irrespective of the proposed additional development within the site. It is recommended that the Department of Primary Industries are consulted after gateway determination.</p>
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>The planning proposal is consistent with the aims of this Direction. Development is proposed within cleared or highly disturbed parts of the site. The E3 Environmental Management Zone is proposed to protect and conserve environmentally sensitive areas.</p>
2.2 Coastal Protection	<p>The planning proposal is consistent with the aims of this Direction. Detail provided in the Coastal Engineering Report (Appendix G) and discussed above.</p>

Relevant Section 117 Directions	Consistency and implications
2.3 Heritage Conservation	<p>The planning proposal is consistent with the aims of this Direction. The Heritage Precinct Park (which consists of highly significant defence related buildings and structures such as the observation tower and gun emplacements) are proposed to be placed within the E3 Environmental Management Zone. The planning proposal also recommends that the site be included as a local listing in Schedule 5 Environmental Heritage of the Newcastle LEP 2012.</p> <p>A suite of controls relating to heritage, ie buffer zone and views to significant items are also included in the draft DCP to facilitate the vision of the concept plan.</p> <p>The Heritage Impact Statement and Aboriginal Cultural Heritage and Archaeological Assessment Report (and review of these) have informed the concept plan / draft site specific DCP and proposed rezoning and controls contained with the planning proposal. See Appendices H and I.</p>
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	<p>The planning proposal is consistent with the aims of this Direction. The intention of the concept plan and planning proposal is to create a variety of housing choice on the site and to use or adapt existing infrastructure on the site where possible e.g. roads and heritage buildings. The site is not far from the Stockton commercial strip and Newcastle city centre. Smaller building footprints are proposed on land previously cleared for development or disturbed by defence related uses.</p>
3.4 Integrating Land Use and Transport	<p>The planning proposal is consistent with the aims of this Direction. The proposal is to facilitate and deliver housing to defence members and family. The site is considered a good distance for employees at the RAAF base at Williamstown. The planning proposal is informed by a Transport Study as provided at Appendix J. The study concludes that the site is well serviced by public transport and that local roads have capacity to accommodate the additional vehicles that may result from the recreation of 100 dwellings.</p>
4. Hazard and Risk	
4.1 Acid Sulfate Soils <div data-bbox="199 1624 734 1848"> </div>	<p>The planning proposal is consistent with the aims of this Direction. The site is affected by class 4 and 5 Acid Sulfate Soils. Future development must comply with Clause 6.1 Acid Sulfate Soils of the Newcastle LEP 2012.</p>

Relevant Section 117 Directions	Consistency and implications
4.4 Planning for Bushfire Protection 	<p>The planning proposal is consistent with this Direction. The proposal has been assessed for its compliance with bushfire protection legislation and policy in detail in the Bushfire Assessment Report, provided at Appendix C. The assessment confirmed that the proposed development can achieve BAL 29 providing recommended APZ are managed. Water and access provisions are deemed suitable for the proposed development.</p>
5. Regional Planning	
5.10 Implementation of Regional Plans	<p>The planning proposal is considered consistent with the vision, land use strategy, goals, directions and actions contained within the HRP. See Section 3 of the planning proposal for discussion.</p>

Section C - Environmental, social and economic impact

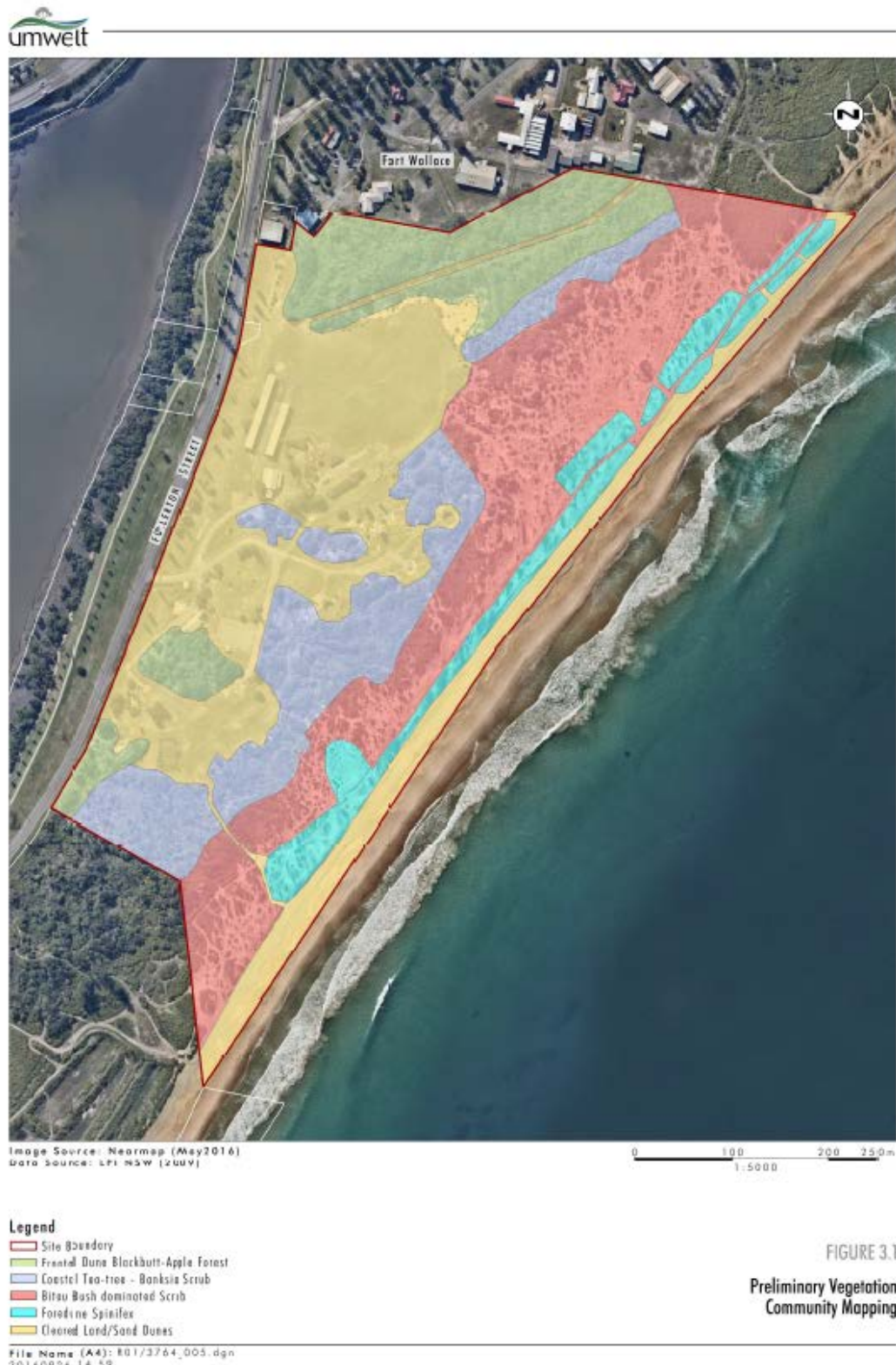
7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Flora and fauna

The vision for the site is to retain and protect significant vegetation that can provide important habitat for fauna. An Ecological Assessment has been undertaken to inform the planning proposal. The assessment (**Appendix B**) included a desktop analysis, review of previous surveys and records, site surveys and recordings to identify the flora and fauna communities present or likely to be present onsite. In order to consider the likely impacts that development associated with delivering the concept plan (approximately 100 dwellings) an assessment was undertaken.

The assessment found that the Fort Wallace site contains three native vegetation communities and one exotic vegetation community being Frontal Dune Blackbutt-Apple Forest, Coastal Tea-tree - Banksia Scrub, Bitou bush-dominated Scrub and Foredune Spinifex. See **Figure 4**.

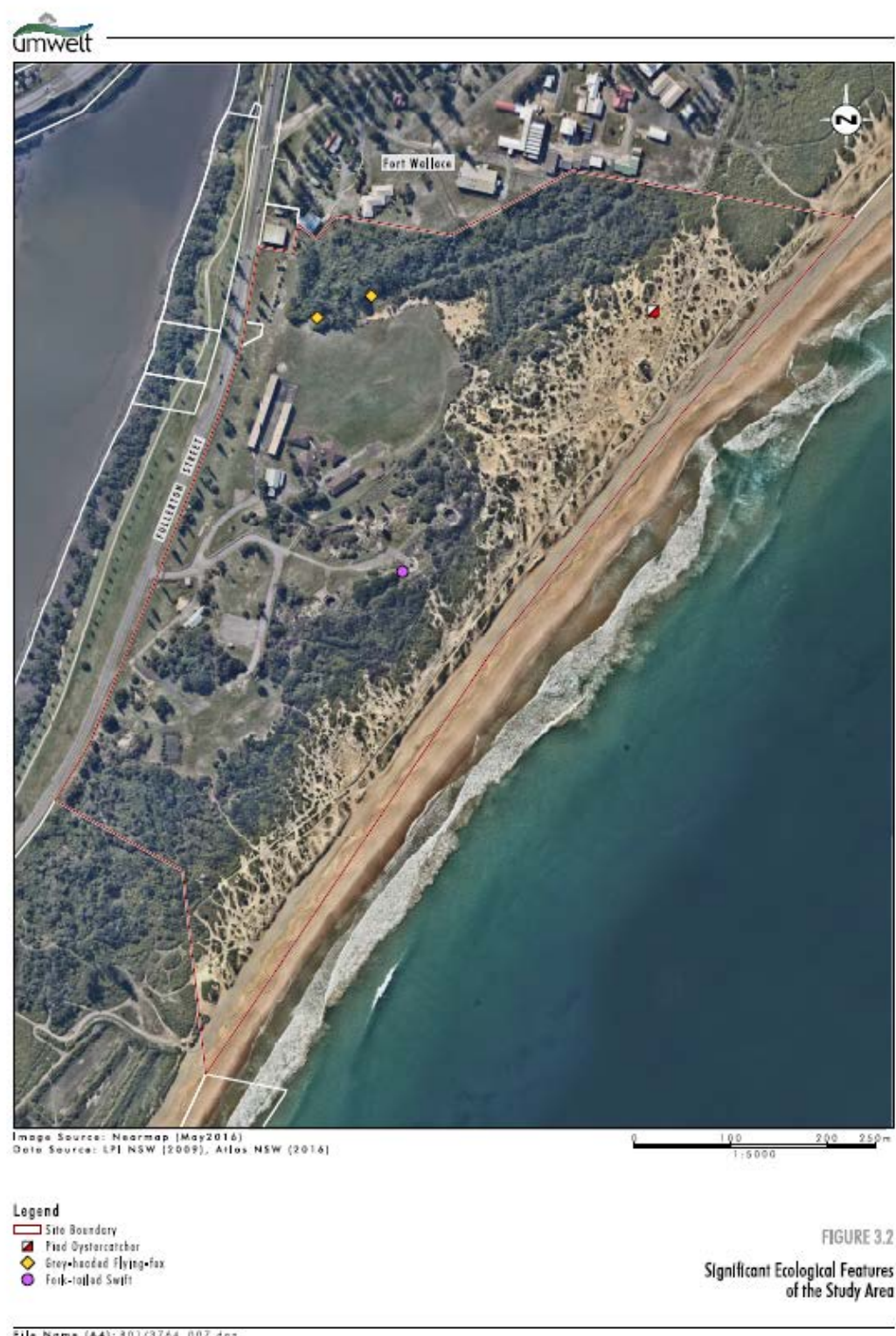
Figure 4 - Vegetation Community Mapping - Fort Wallace



A wide range of flora and fauna species have been recorded within and surrounding the Study Area as part of previous ecological surveys. Generally, the habitats on the site are moderately to highly disturbed and degraded as a result of previous disturbances and weed invasion.

Three threatened species listed under the Threatened Species Conservation Act and/or EPBC Act have been recorded on the site being pied oystercatcher (*Haematopus longirostris*), greyheaded flying-fox (*Pteropus poliocephalus*) and east coast freetail-bat (*Mormopterus norfolkensis*). See **Figure 5** for mapped threatened species.

Figure 5 - Significant Ecological Features - Fort Wallace



Technical assessments of the concept plan demonstrate how a residential development may be appropriately facilitated on the site. It is considered unlikely that redevelopment of the site for residential uses would result in a significant impact on threatened species occurring or with the potential occur on the site. Future development applications will be required to be accompanied by a report assessing the significance of the development on the ecological significance of the site.

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

The planning proposal is not likely to result in development that will create any significant adverse environmental effects. A range of strategic and technical reports and assessments have been undertaken to ensure that potential impacts of the planning proposal to rezone the land are acceptable, including the ecological assessment summarised in the previous section of this report.

Traffic and Transport Considerations

Local traffic and transport / Public transport

A Transport Study Report (Appendix J) was prepared to assess the high level potential of the transport network to accommodate residential development of the site. In order to understand potential impacts and development levels the concept plan to allow for approximately 100 dwellings was assumed.

Forecast traffic flows would be in the order of 156 trips AM and 172 trips PM for the Fort Wallace site. The existing flow levels on Fullerton Street coupled with the initial predictions of site traffic flows suggest the site will need an intersection configuration with an Auxiliary Left (AUL) turn lane, and a Channelised Right short turn slot to cater for predicted site movements onto and from Fullerton Street.

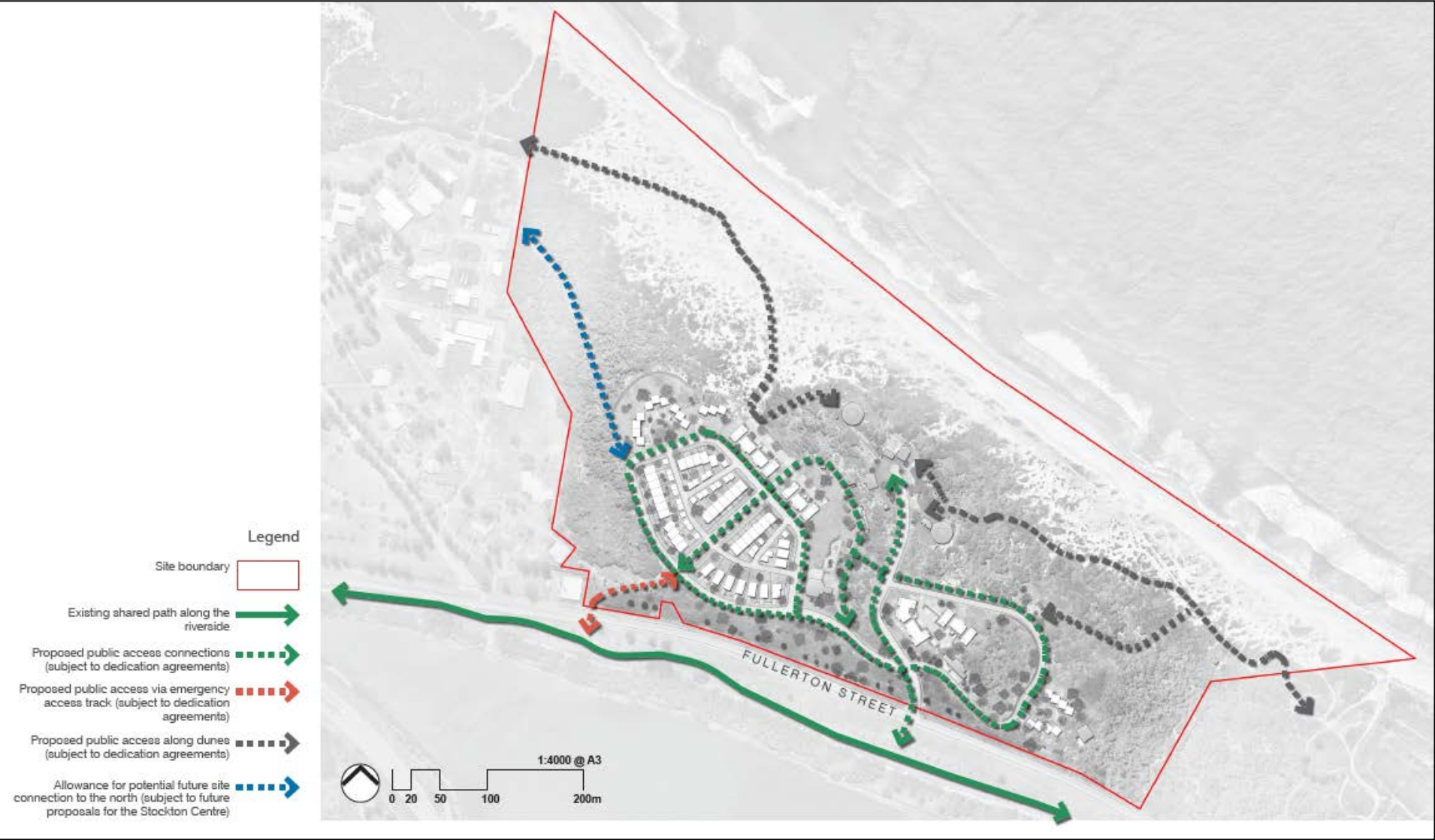
The assessment concludes that the external road network is capable of absorbing these levels of additional trips, while remaining at a good operational level of service.

Cycle and pedestrian movement

In terms of cycling and pedestrian access, a shared path links the site to the shopping strip and ferry terminal in Stockton.

Figure 6 identifies potential future connections to neighbouring sites, which are expected to redevelop in the future.

Figure 6 - Potential future connections - Fort Wallace



Environmental Considerations

Bushfire hazard

A Bushfire Assessment (**Appendix C**) has been prepared to understand bushfire risk with respect to the redevelopment of the site to allow for approximately 100 dwellings. It included a review of the concept plan in order to recommend appropriate bushfire risk mitigation measures. The report found that the predominant bushfire hazard is located in the north, east and south boundaries of the subject site.

The Assessment concludes that the concept plan and associated design principles can comply with all performance criteria's outlined for integrated (residential subdivision) development and minimum construction requirements at detailed design stages. The assessment also finds that the proposed design provides for suitable access and water provisions for emergency management. See **Figure 7** for mapped Asset Protection Zones.

It is recommended that the planning proposal be forwarded to the Rural Fire Service for comment post gateway determination.

Figure 7 - Asset Protection Zones - Fort Wallace



Acid Sulfate Soil

The site is affected by Acid Sulfate Soils. Future development must comply with Clause 6.1 Acid Sulfate Soils of the Newcastle LEP 2012.

Water quality / Stormwater management

The Stormwater Management Plan (**Appendix E**) specifically addresses stormwater quantity and quality. It has addressed the impacts of the development of the site on the existing drainage regime, determined the stormwater discharge constraints and identified proposed stormwater device measures to adequately treat the stormwater prior to discharging to receiving waters.

Based on review of the existing site topography, it has been identified that stormwater discharging from the site will be conveyed to Fullerton Street and discharge across Fullerton Street and Council reserve to the Hunter River South Arm.

A MUSIC model was used to simulate pollutant source elements for the concept master plan to confirm that stormwater could be adequately treated within the limits of the development in the case of a residential development of the site. The results from this study demonstrate that there is adequate capacity within the site to achieve the required performance objectives of the stormwater management.

Flooding

The site is not affected by flooding.

Land/site contamination (SEPP55)

A Site Audit Statement (and report) is attached. See **Appendix F**. There is sufficient information to conclude that contamination has been adequately investigated, remediated and validated to support the proposed rezoning based on the site auditors review and conclusions.

It is however noted that an array of contaminants have been found on the site including buried asbestos, ordinance (eg. hand grenade, mortar shell, small arms projectiles), polycyclic aromatic hydrocarbons (PAHs) and lead. The auditor notes the possibility of unexpected finds and existing sources of contamination such as PAH contaminated pavements and asbestos infrastructure which will have to be appropriately considered and managed during future development and there will need to be an appropriate long term management plan to manage these risks.

The conclusion is that the site has been adequately remediated and validated, however, residual contamination issues will require further consideration and management as part of the redevelopment process.

Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)

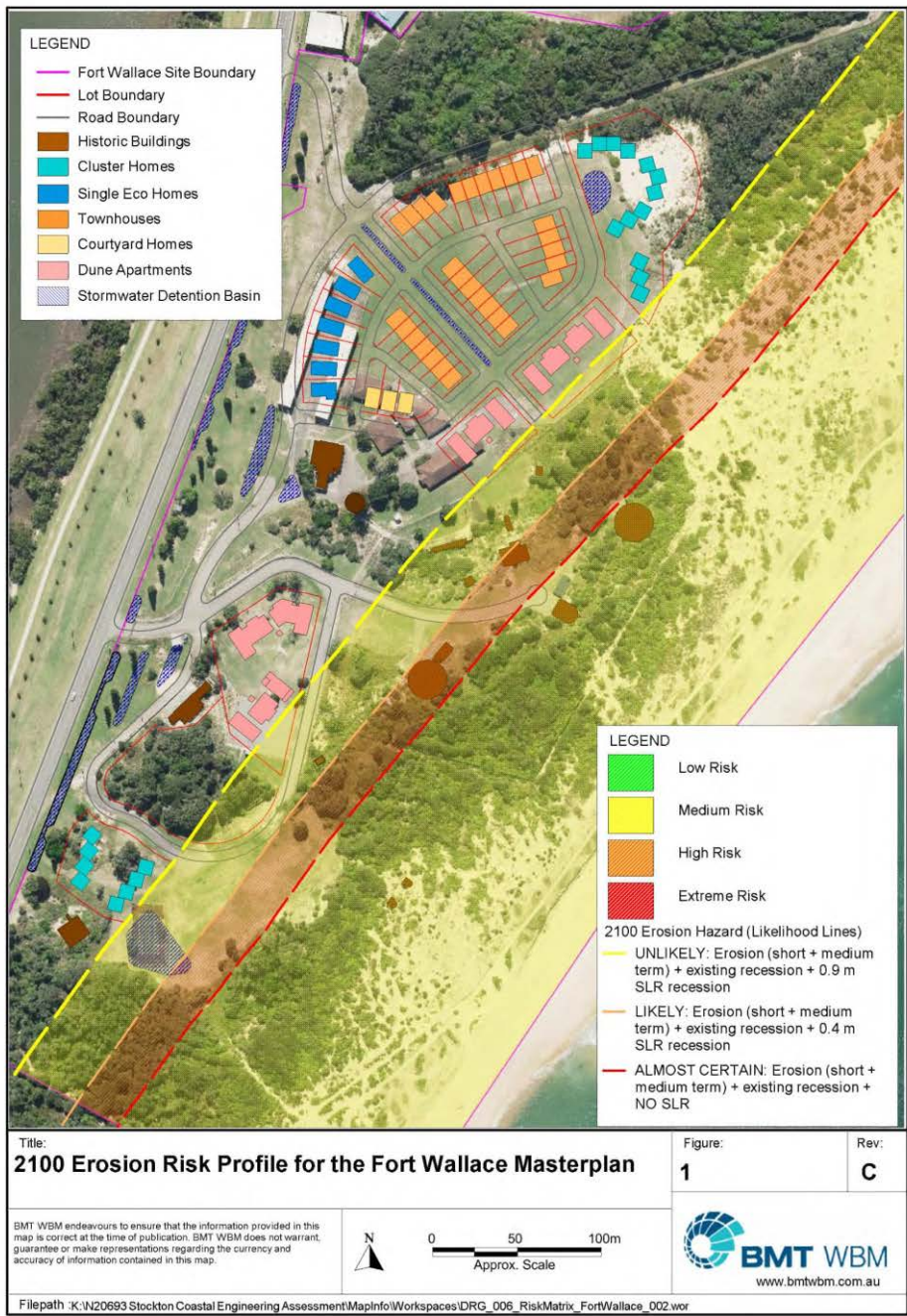
Coastal erosion

Changes to the coastal system to the east of the Fort Wallace site have been investigated to assess the potential impacts of short and long term erosion, sea level rise, and ongoing recession. The Coastal Engineering Assessment (**Appendix G**) demonstrates three scenarios for erosion by 2100 and the impact of each scenario on the Fort Wallace site, considering specifically the concept plan as an example of a potential residential development of the site.

The three scenarios are as follows: an ‘almost certain’ erosion scenario including short and medium term erosion, ongoing recession (due to the Newcastle Harbour breakwaters), but excluding the impacts of sea level rise; a ‘likely’ erosion scenario including short and medium term erosion, ongoing recession, and future recession due to sea level rise of 0.4 m by 2100 (equivalent to the current rate of sea level rise); and an ‘unlikely’ erosion scenario including short and medium term erosion, ongoing recession, and future recession due to sea level rise of 0.9 m by 2100 (equivalent to highest emission scenario along which we are tracking). The ‘unlikely’ scenario is the typical conservative estimate used for planning purposes in NSW. See hazard scenarios mapped in **Figure 8**.

In accordance with Council policy and best practice planning for residential subdivision and development potentially at risk from coastal hazards, all residential development in the concept plan is located westward of the 2100 ‘unlikely’ hazard line. The report recommends that the proposed rezoning be supported.

Figure 8 - Coastal erosion - Fort Wallace



Urban Design Considerations

The Urban Design and Landscape Report (**Appendix D**) informed the concept plan and proposed LEP amendments contained within the planning proposal.

The vision is to create a new place to enjoy without compromising the site's unique history and coastal landscape character. The following planning and design principles underpin future development of the site:

1. Touch lightly on the land.
2. Embrace the coastal ecology.
3. Celebrate history and cultural heritage.
4. Utilise interesting architectural forms.

The vision indicates potential to open the site for community access.

The concept plan has been developed to incorporate best practice planning and design principles, which is reflected in the draft DCP section.

The Urban Design Consultative Group (UDCG) has reviewed the documentation prepared to inform the planning proposal and formally on the draft DCP. In summary, the UDCG:

- Support a mixture of development densities and typologies for the site, but suggested that apartments are restricted to a maximum of three habitable floors.
- Development is massed in a stepped formation rather than long uniform roof forms.
- Varied heights, not exceeding 14m.
- Further consideration in respect to possible building design, given high bushfire requirements. This may limit material selection and impact landscape outcomes given need for APZs.
- Consultation with local Worimi Aboriginal representatives is recommended in respect to procedure for archaeological finds and use of interpretative information in relation to indigenous heritage that could be displayed for visitors.
- The group also raised concerns around lack of areas for recreational activities such as “kicking a ball” or other play and inclusion of a small convenience shop as part of the proposal.

Response

Council engaged heritage consultants to review the supporting heritage reports. As part of this review, a workshop with Registered Aboriginal Parties (RAPs) took place. RAPs advised that interpretation strategies be developed in consultation with RAPs and that signage is to obtain general information regarding the nature of the study area and the possibility that interpretation signage be written in both English and the native Worimi language.

In terms of recreational activities, the concept plan and proposed zone changes will allow for these. A shop is not proposed as part of this concept plan however, the zoning does not prohibit it. A location for a retail offering is currently being investigated in the development of a draft land use strategy for the larger area.

In terms of the review, minor changes were made to the concept plan, DCP and proposed LEP amendments contained within the original request. These include:

- Reducing one of the apartment blocks to 11m near a highly sensitive part of the site and removal of four dwellings in proximity to this area.
- The creation of a heritage buffer zone.
- Mapping important views to heritage items that require protection.

- Updating the Conservation Management Plan (CMP) to direct the design process.

Social and Cultural Considerations

Heritage impacts

A Heritage Impact Statement (**Appendix I**) was prepared to assess the likely heritage impacts of the planning proposal on the European heritage on the site. A survey of heritage items and their condition has been undertaken and each item has been mapped and categorised. Previous studies and relevant documentation such as the CMP and heritage management strategy for the site have been considered.

Fort Wallace has heritage significance due to its former defence use and the structures remaining on the site associated with those uses. Fort Wallace was the third fort constructed for the defence of Newcastle in 1912, and is a relatively rare example of three consecutive defence phases on the one site.

Aboriginal archaeology

An assessment of the aboriginal cultural values and archaeology of the site was undertaken in consultation with local aboriginal parties. See **Appendix H**. Notifications of work on the site were developed and publicly displayed, with four parties registering their interest in ongoing consultation.

A pedestrian survey of the site was undertaken with all groups. In summary, the survey response noted the entire site is important to local Aboriginal community. The recommendations have been incorporated into the concept plan for the site and planning proposal.

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

The planning proposal is intended to facilitate redevelopment of the site to allow for residential and recreational purposes.

The planning proposal would deliver some important social benefits, as described below:

- New and unique public domain. The planning proposal is intended to facilitate a substantial area of public recreation, including the beach and area around the heritage precinct. They will also provide habitat for local flora and fauna, as described in the Ecological Assessment Report provided in **Appendix B** and ensure the ongoing protection and public enjoyment of heritage items, as described in the Heritage Impact Statement (**Appendix I**).
- The proposed planning controls are based on principles for sustainable development, including ensuring that built form delivers high levels of amenity for future residents. Redevelopment of the site would result in approximately 100 dwellings of different sizes and typologies, catering for a diverse range of residents. Approximately 50% of these would be available to the market, with 50% reserved for defence personnel to be retained and managed by DHA. DHA provides subsidised housing for members of defence and their families, generally focusing on defence personnel with dependants (with single defence personnel often renting privately, which also receives some subsidy). This model ensures that appropriate, affordable housing is supplied in proximity to amenity and members places of work. The model also seeks to integrate private and defence housing in a socially and financially sustainable development.

- The planning proposal provides opportunities for recreational activities and to experience the site's heritage.
- Residential development of the site would increase demand for local retail and commercial uses, increasing the feasibility of a wide range of local businesses, particularly in the Stockton Town Centre.

Social and community infrastructure in the area has been reviewed and mapped as shown in **Figures 9 and 10**. The site is also close to essential emergency services, including a fire station and police station in Stockton.

Figure 9 - Social Infrastructure - Fort Wallace

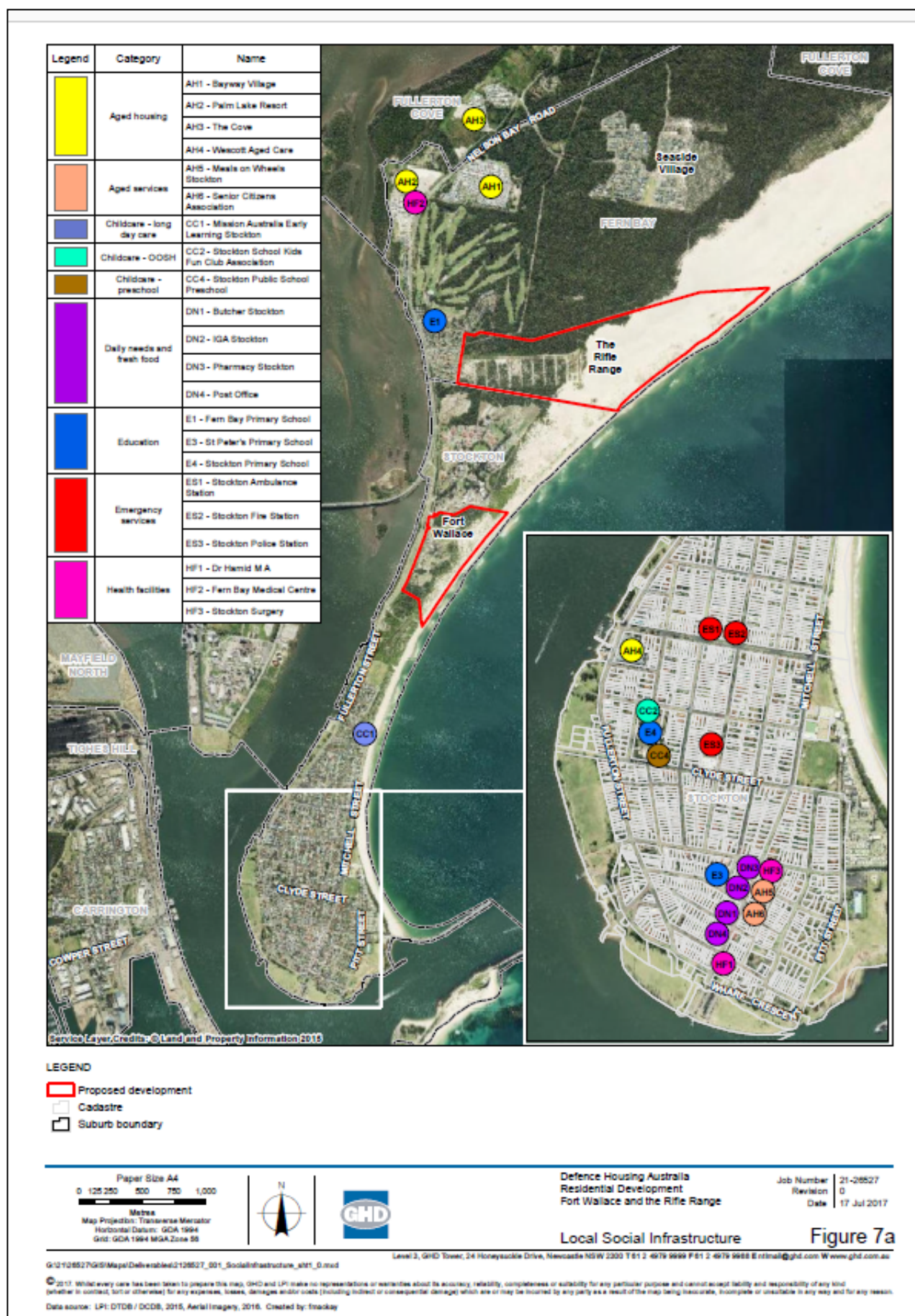
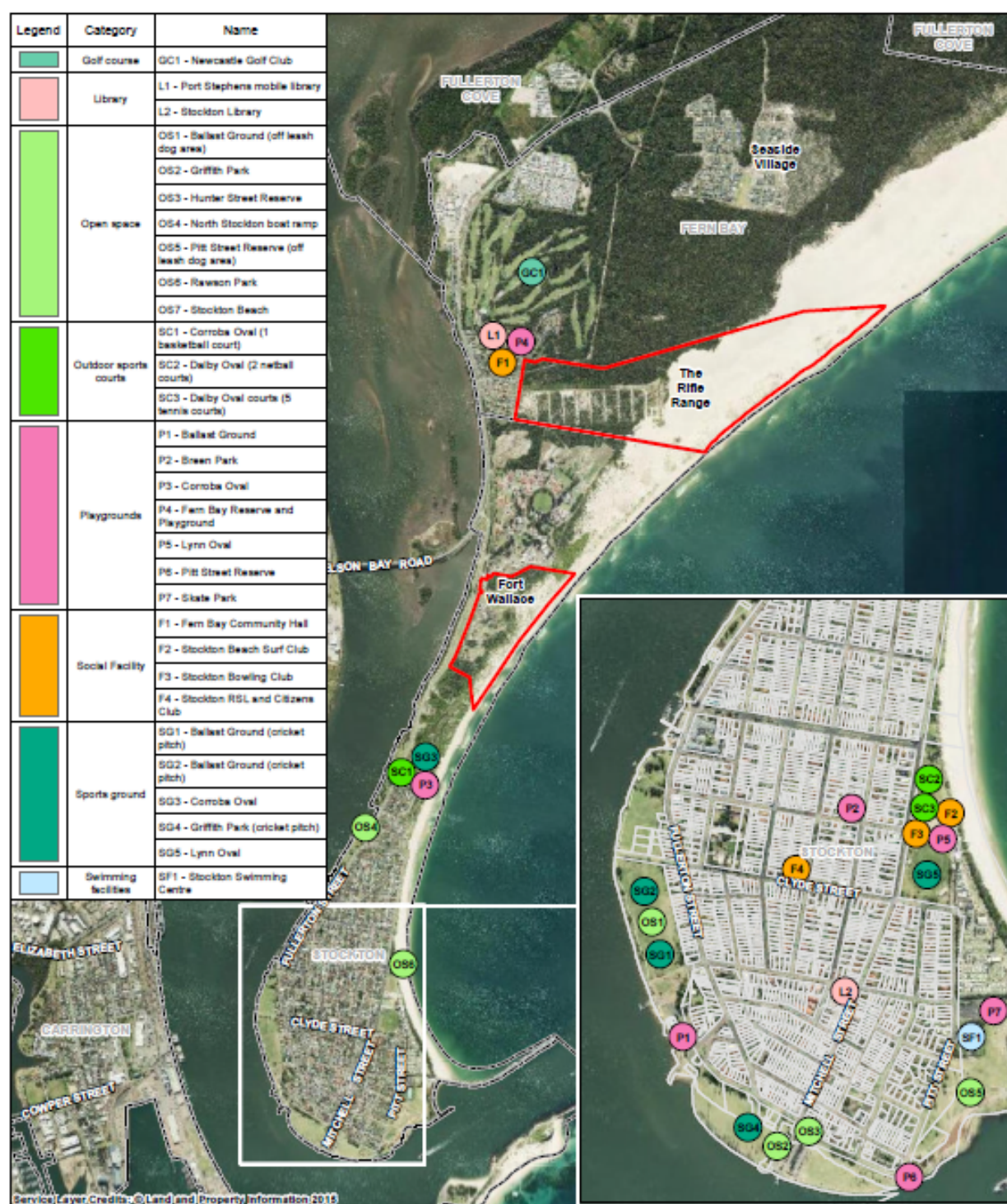


Figure 10 - Social Infrastructure - Fort Wallace



LEGEND

- Proposed development
- Cadastre
- Suburb boundary

Paper Size A4
0 125 250 500 750 1,000
Metres
Map Projection: Transverse Mercator
Horizontal Datum: GDA 1994
Grid: GDA 1994 MGA Zone 58



Defence Housing Australia
Residential Development
Fort Wallace and the Rifle Range

Job Number 21-28527
Revision 0
Date 17 Jul 2017

Local Social Infrastructure

Figure 7b

Level 3, GHD Tower, 24 Honeyuckle Drive, Newcastle NSW 2300 T 61 2 4979 9999 F 61 2 4979 9999 E ctrial@ghd.com W www.ghd.com.au

Social and cultural impacts

A Social Impact Assessment (SIA) has been prepared to support the planning proposal. See (**Appendix K**). It has been prepared in accordance with Newcastle City Council's *Social Impact Assessment Policy, 1999*. It discusses social considerations in the interests of DHA and the local community.

The concept plan includes improvements, including options to adaptively reuse heritage buildings. A café, kiosk, community facility, viewing platform and park are proposed options. The proposed park aims to emphasise principles of nature play through selection of play facilities and materials. An active sports lawn and playgrounds could be included in the spaces. The proposed zoning allows for such uses. There is opportunity for residents and visitors to engage with the site's unique military heritage. The military and indigenous history contained on the site can offer education and provide for enjoyment.

The SIA has not identified any social considerations that would preclude the development of the site for residential development. The site would likely accommodate approximately 270 residents, would affect provide for renewal of the currently unutilised land and facilitate access to local heritage items and natural areas. There are existing unmet needs for social infrastructure. Additional social infrastructure (facilities, services and programs) would be required to support the development of a sustainable, healthy and inclusive community. See **Figure 11** summary of social impacts recommended for consideration:

Figure 11 - Social impact options for consideration - Fort Wallace

Area of Change	Proposed mitigation or enhancement measure
Social infrastructure	<ul style="list-style-type: none"> Short term increases to Stockton Library hours and increased frequency of Port Stephens mobile library service New multipurpose facility to meet diverse community needs (community/youth/cultural/ seniors, library) Port Stephens Council to facilitate private sector delivery of preschool and OOSH services in the local area, and explore options for sports courts and fields in Fern Bay Regional Councils liaise with Department of Education to determine appropriate school catchments for Fort Wallace
Access and mobility	<p>Future site planning include pedestrian access to the Stockton Centre bus stop and pedestrian crossing</p> <ul style="list-style-type: none"> Regional Councils consider pedestrian and cycle crossing options for Fullerton Road and/or shared pathway east of Fullerton Road Any site developer ensure adequate mobile phone reception throughout the site
Community cohesion and connectedness	<p>Regional Councils consider a multipurpose community centre</p> <p>A community development and welcome program be pursued by any site developer</p> <ul style="list-style-type: none"> DHA explore options for heritage reuse buildings to operate as Mens Sheds
Health and wellbeing	<p>Active travel promotion be a component of a Community Development and Welcome program for any new development at Fort Wallace</p>
Area of Change	Proposed mitigation or enhancement measure
Crime and safety	<p>Undertake a CPTED assessment for any future master plan</p> <p>Implement Community Development and Welcome Plan to address existing crime issues and increase passive surveillance</p>

Conclusion

The LEP can be completed within a reasonable timeframe and identified potential impacts can be addressed.

Section D - State and Commonwealth interests

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

Existing infrastructure is adequate to serve or meet the needs of the proposal.

An assessment of the capacity of key services has been undertaken to inform the development of the concept plan and planning proposal. The assessment of services has been prepared and includes consideration of portable water supply, sewer, electricity, telecommunications, and gas. The report has been provided in **Appendix L** of this planning proposal.

The assessment concludes that residential development on a portion of the site would be adequately serviced by surrounding infrastructure and as such there are no constraints to the proposed rezoning due to the provision of services. Some further assessment and potential upgrades to the Stockton 4 Waste Water Pump Station is likely to need to be undertaken at subdivision and development stages.

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

Public authorities will be consulted in accordance with the Gateway determination. It is suggested that the following State and Commonwealth public authorities should be consulted with prior to public exhibition:

- Rural Fire Services
- Roads and Maritime Services
- Office of Environment and Heritage (both divisions)
- Department of Primary Industries
- National Parks and Wildlife Services

Conclusion

The LEP can be completed within a reasonable timeframe and identified potential impacts can be addressed.

Part 4 - Mapping

The planning proposal seeks to amend the following maps within Newcastle LEP 2012:

- Land Zoning Map
- Height of Buildings Map
- Minimum Lot Size Map
- Heritage Map

The Matrix below indicates (with an “X”), which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (eg. FSR_001C)

	LZN	HOB	LSZ	HER
001				
001A				
001B				
001C				
001D				
002				
002A				
002B				
002C				
002D				
002E				
002F				
002G				
002H				
003				
004				
004A				
004B				
004C				
004D				
004E				
004F				
004FA				
004G				
004H				
004I	X	X	X	X
004J				
004K				

Map Codes:

LZN	=	Land Zoning Map
HOB	=	Height of Buildings Map
LSZ	=	Lot Size Map
HER	=	Heritage Map

The following maps illustrate the proposed amendments to the Newcastle LEP 2012 maps:

- **Figure 12:** Existing Land Zoning Map
- **Figure 13:** Proposed Land Zoning Map
- **Figure 14:** Existing Max Height of Buildings Map
- **Figure 15:** Proposed Max Height of Buildings Map
- **Figure 16:** Existing Min Lot Size Map
- **Figure 17:** Proposed Min Lot Size Map
- **Figure 18:** Existing Heritage Map
- **Figure 19:** Proposed Heritage Map

Figure 12 - Existing Land Zoning Map



Figure 13 - Proposed Land Zoning Map

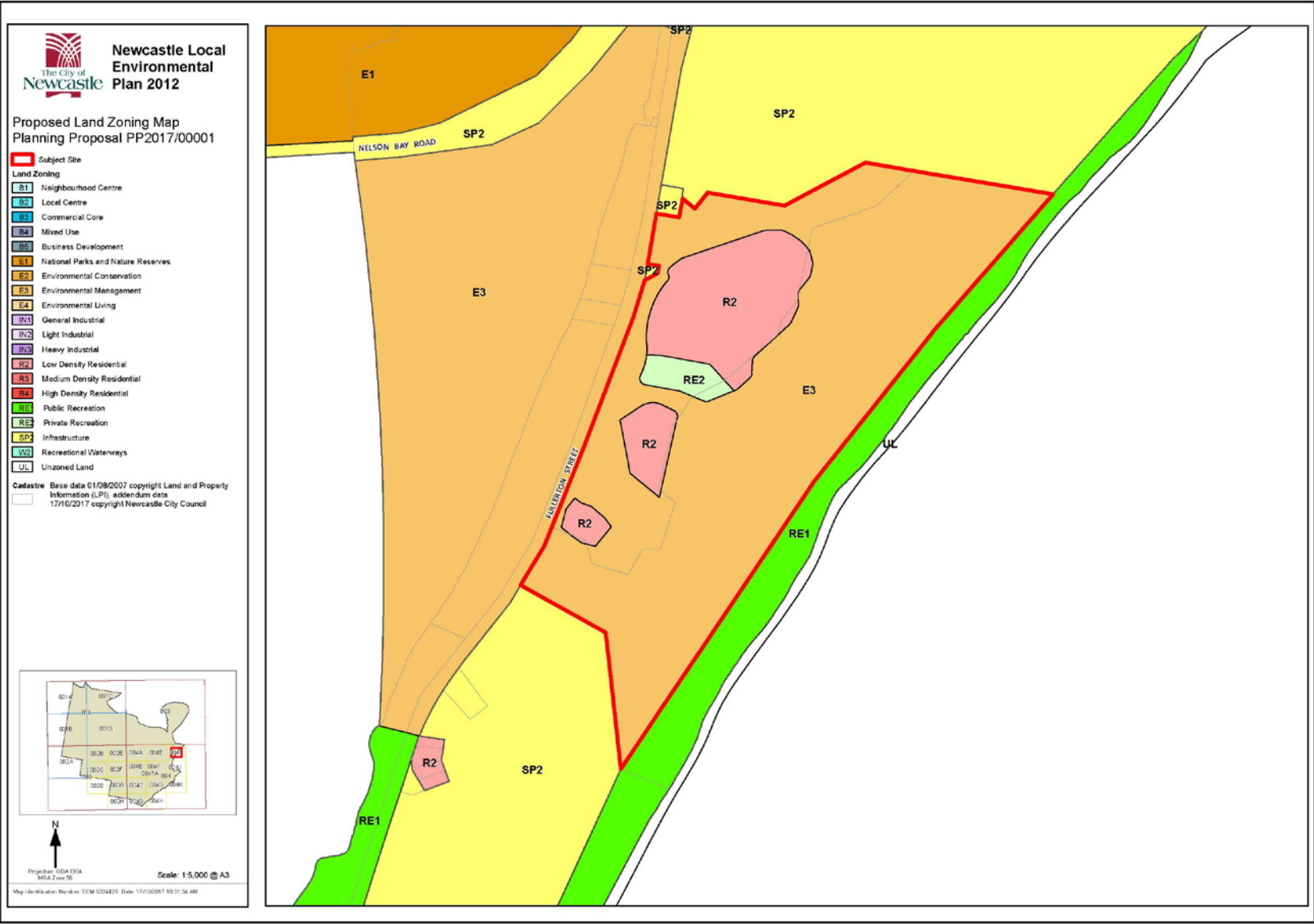


Figure 14 - Existing Max Height of Buildings Map



Figure 15 - Proposed Max Height of Buildings Map



Figure 16 - Existing Min Lot Size Map

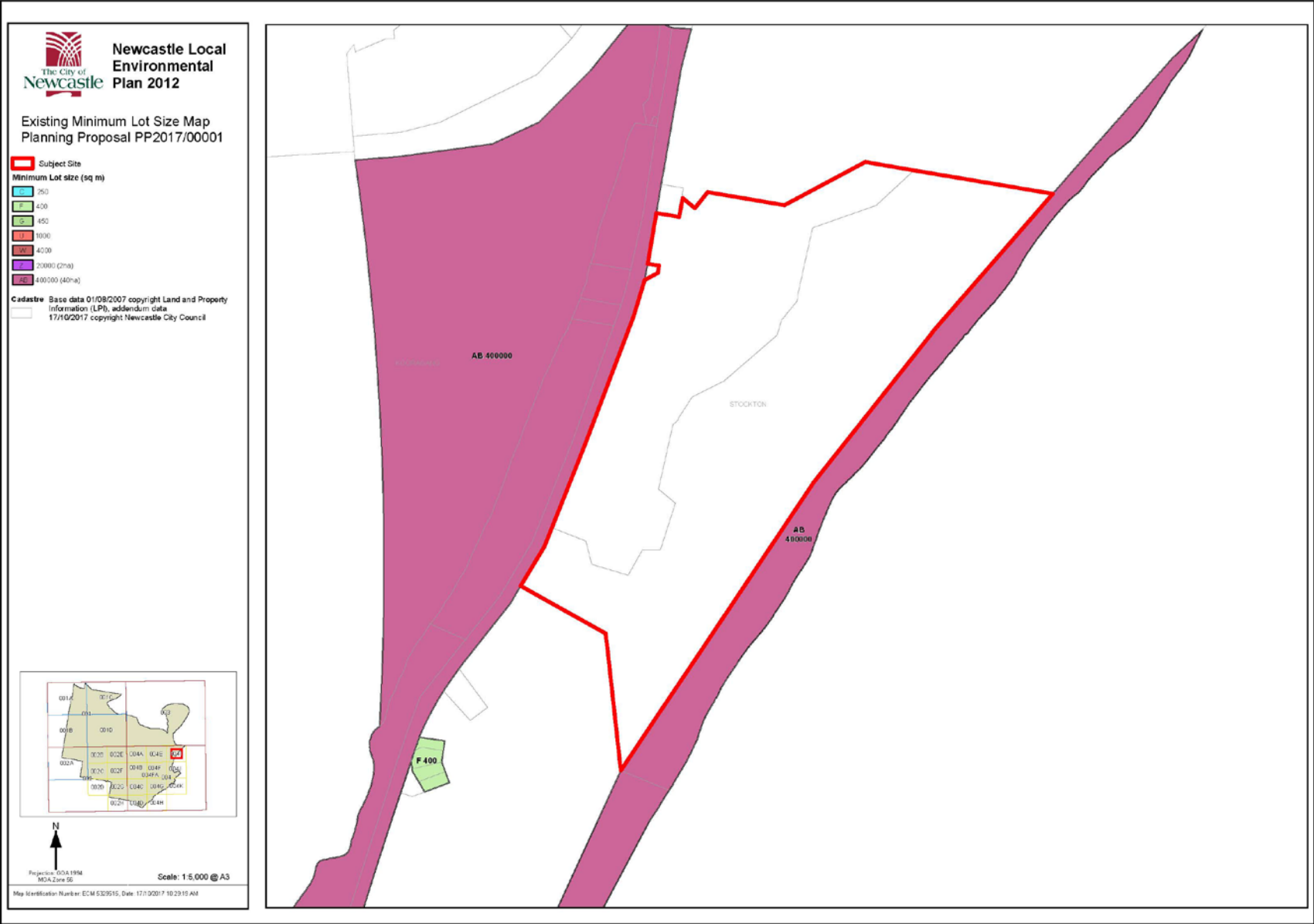


Figure 17 - Proposed Min Lot Size Map



Figure 18 - Existing Heritage Map

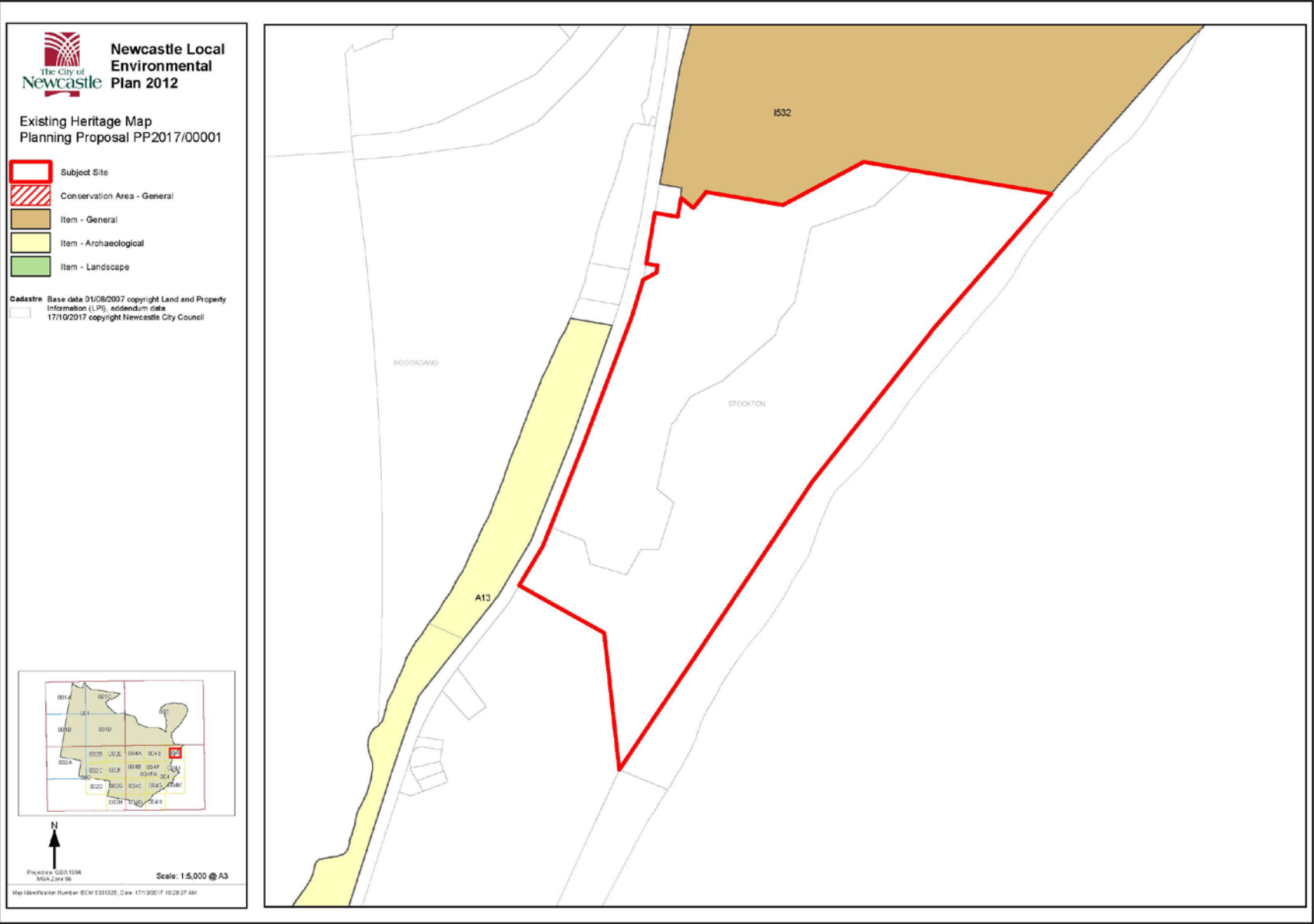
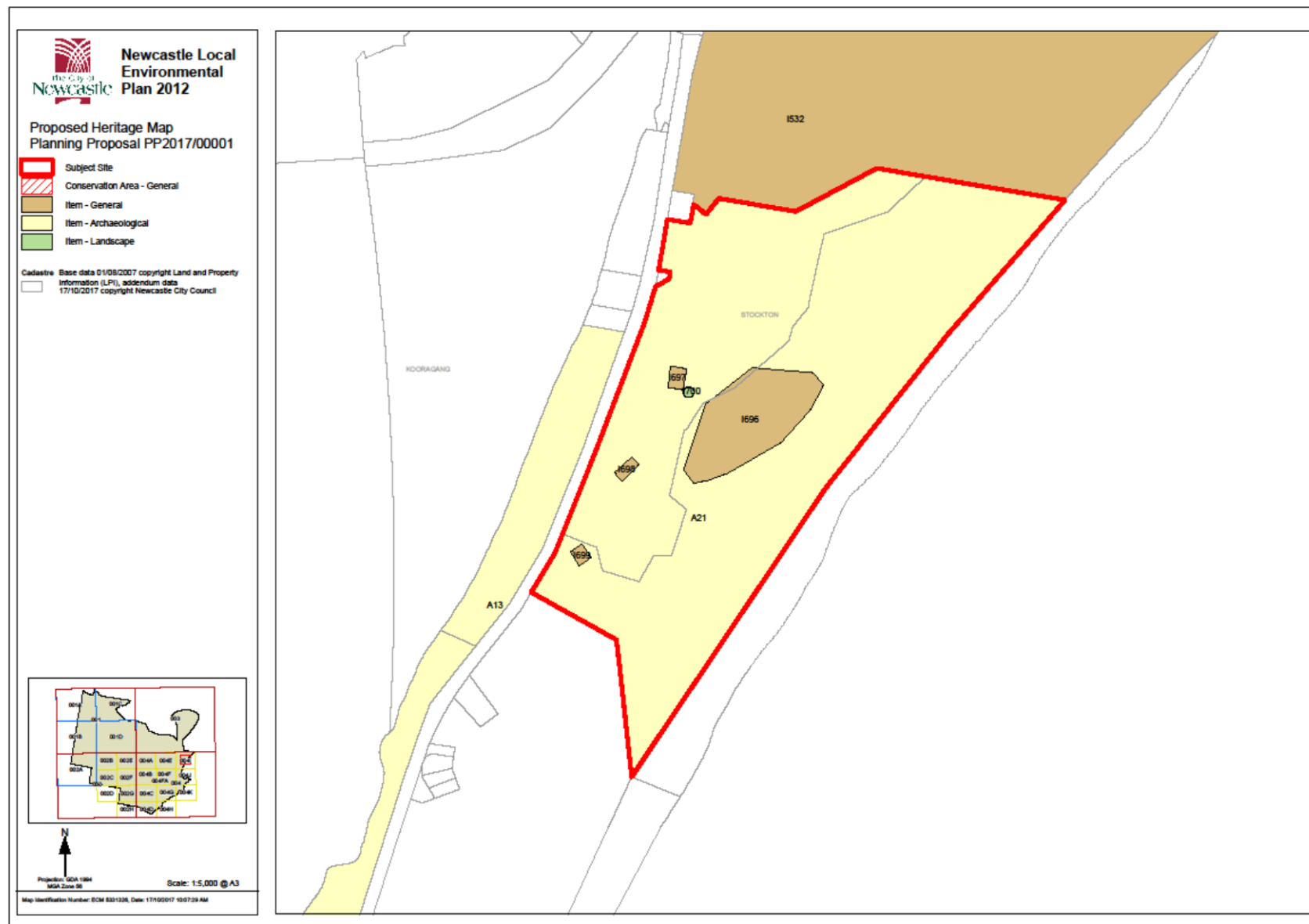


Figure 19 - Proposed Heritage Map



Proposed changes to Schedule 5 Environmental heritage:

Part 1 Heritage Items:

Stockton, Fort Wallace, Heritage Precinct including observation tower, gun emplacements, casualty station, engine and radio room, Lot 101 DP 1152115, Local **I696**

Stockton, Fort Wallace, Drill Hall, 338 Fullerton Street, Lot 100 DP 1152115, Local **I697**

Stockton, Fort Wallace, Administration Building, 338 Fullerton Street, Lot 100 DP 1152115, Local **I698**

Stockton, Fort Wallace, Plotting Room, 338 Fullerton Street, Lot 101 DP 1152115, Local **I699**

Stockton, Fort Wallace, Gunner Hoban Tree, 338 Fullerton Street, Lot 100 DP 1152115, Local **I700**

Part 3 Archaeological sites

Stockton, Stockton Bight Landscape including Fort Wallace, 338 Fullerton Street, Lot 100 & 101 DP 1152115, Local **A21**

Part 5 - Community consultation

The planning proposal will be exhibited in accordance with the Department of Planning and Environment's guidelines, '*A guide to preparing local environmental plans*'. It is proposed that the planning proposal will be publicly exhibited for 28 days.

Relevant public authorities will be consulted in accordance with the requirements of the Gateway determination.

Early consultation has been undertaken by DHA and consultants mid to late 2016. A number of methods of community consultation were undertaken, including meetings, newsletters, online activities, phone calls, emails and community information and feedback sessions. During this process the indicative concept plan for the site was made available for comment. The process and outcomes of early consultation is documented in the Consultation Report at **Appendix M**.

Part 6 - Project timeline

The plan making process is shown in the timeline below. It will be undertaken in accordance with the Gateway determination.

Task	Planning Proposal Timeline											
	Jan 17	Feb 17	Mar 17	Apr 17	May 17	Jun 17	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Dec 17
Anticipated commencement date (date of Gateway determination)	X											
Anticipated timeframe for the completion of required studies		N/A										
Timeframe for government agency consultation			X									
Commencement and completion dates for public exhibition period				X								
Timeframe for consideration of submissions					X							
Timeframe for the consideration of a proposal post exhibition						X						
Anticipated date RPA* will make the plan (if delegated)							N/A					
Anticipated date RPA* will forward to the Department for notification (if delegated) or for finalisation (if not delegated)								X				

*RPA Relevant Planning Authority