



IRF23/1563

Gateway determination report – PP 2022-1124

West Wallsend and Holmesville Heritage Conservation
Area

May 24



Published by NSW Department of Planning, Housing and Infrastructure

planning.nsw.gov.au

Title: Gateway determination report – PP 2022-1124

Subtitle: West Wallsend and Holmesville Heritage Conservation Area

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Acknowledgment of Country

The Department of Planning Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Draft Planning Proposal - Alterations to the West Wallsend and Holmesville Heritage Conservation Area and Height of Building Standard (PP-2023-1124), Dated 09 May 2023
Heritage Study - Combined Working Report and Heritage Development Control Plan Study, Dated 02 December 2022
Council Minute Item, Ordinary Council, Dated 22 May 2023
HER_Existing_230503_PP-2023-1124, Dated 05 May 2023
HER_Proposed_230503_PP-2023-1124, Dated 05 May 2023
HoB_Existing_PP-2023-1124, Dated 13 September 2022
HoB_Proposed_PP-2023-1124, Dated 14/09/2022

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Lake Macquarie
PPA	Lake Macquarie City Council
NAME	West Wallsend Heritage Conservation Area
NUMBER	PP-2022-1124
LEP TO BE AMENDED	Lake Macquarie Local Environmental Plan 2014
ADDRESS	Various
DESCRIPTION	Various
RECEIVED	29/05/2023
FILE NO.	IRF23/1563
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal seeks to preserve and strengthen the West Wallsend Conservation Area and be consistent with the recommendations of the draft revised West Wallsend and Holmesville Heritage Conservation Area Precinct Plan (draft Area Plan).

The planning proposal intends to:

- increase the size of the West Wallsend Conservation Area
- an area of Holmesville to be included in the West Wallsend Conservation Area
- reduce the maximum height of buildings.

The planning proposal aims to achieve this by:

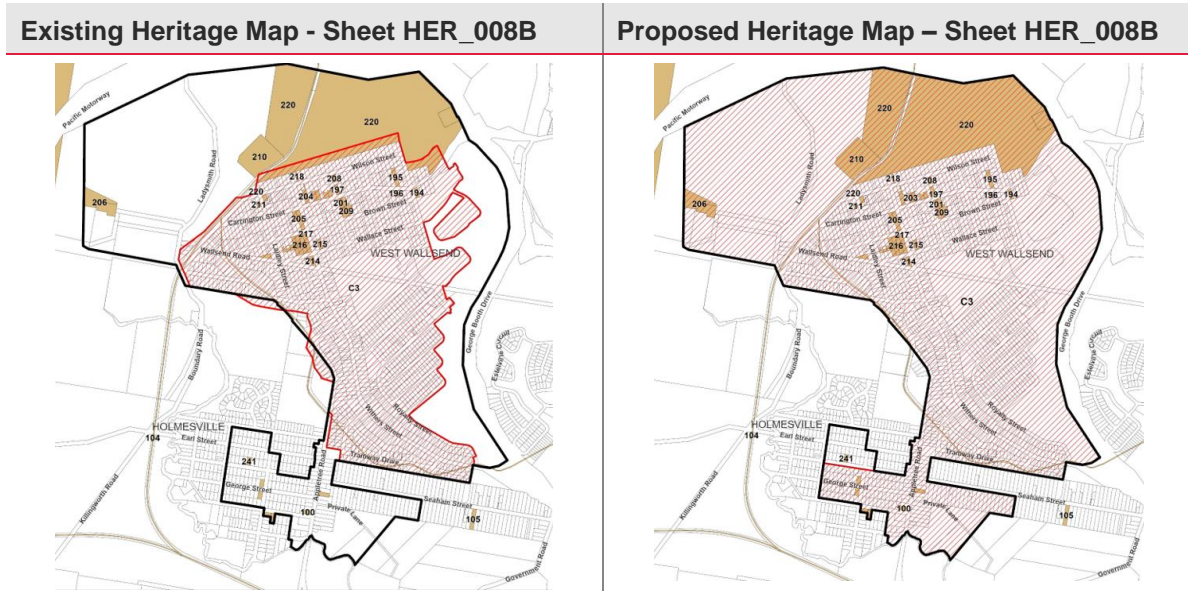
- amending the *Lake Macquarie Local Environmental Plan 2014* to provide statutory effect to the revised draft Development Control Plan (DCP) for the West Wallsend and Holmesville Heritage Conservation Area
- amending the Lake Macquarie LEP 2014 to reduce the height of buildings from 10 metres to 8.5 metres.

1.3 Explanation of provisions

The planning proposal seeks to amend the heritage and the height of buildings map of the Lake Macquarie LEP 2014. These changes are outlined below:

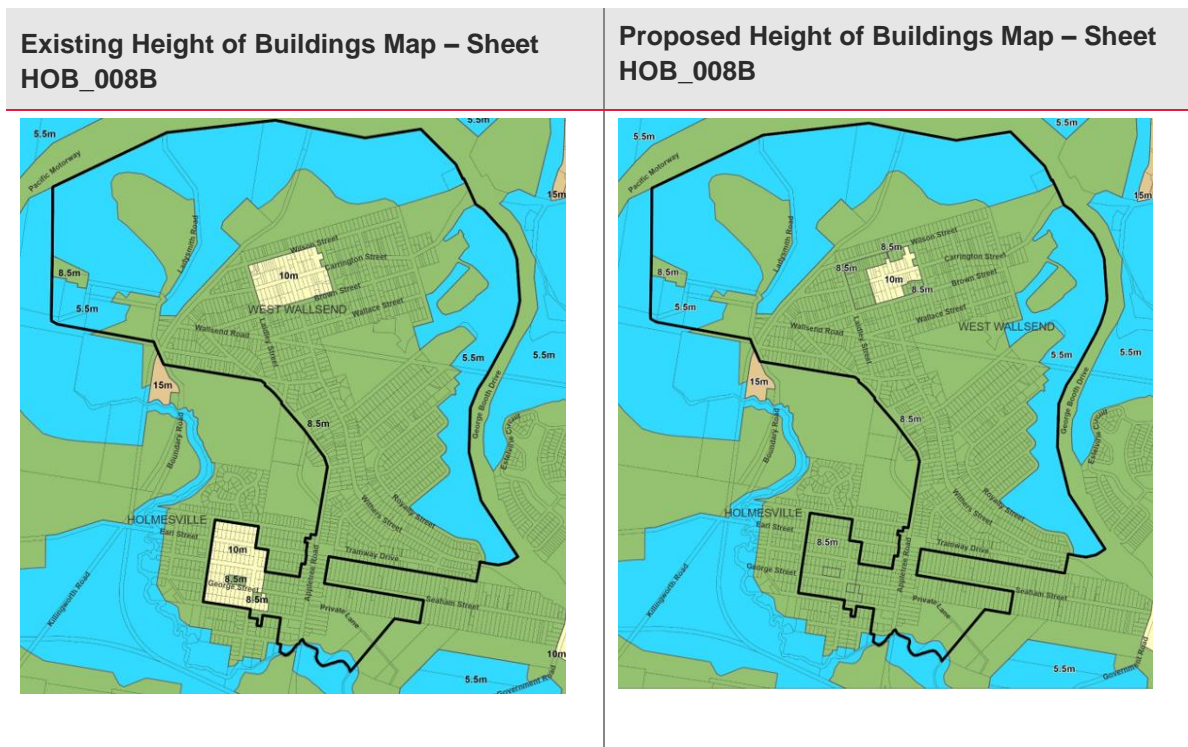
1. Heritage Conservation Area

Amend the West Wallsend Heritage Conservation Area



2. Height of Building Map

Amend the Height of Buildings map from 10 to 8.5 metres across land that is zoned R3 Medium Density Residential and E1 Local Centre.



The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The West Wallsend and Holmesville area is located in the northwest of Lake Macquarie local government area (LGA), approximately five kilometres north of Glendale (see **Figure 1**).

West Wallsend is predominately characterised by residential development and surrounding land that comprises community facilities such as sporting ovals, and heritage items. To the south is the suburb of Holmesville and to the east is the suburb of Cameron Park. Significant areas of remnant bushland surround West Wallsend, particularly to the north and east. Further to the west is the M1 Pacific Motorway.

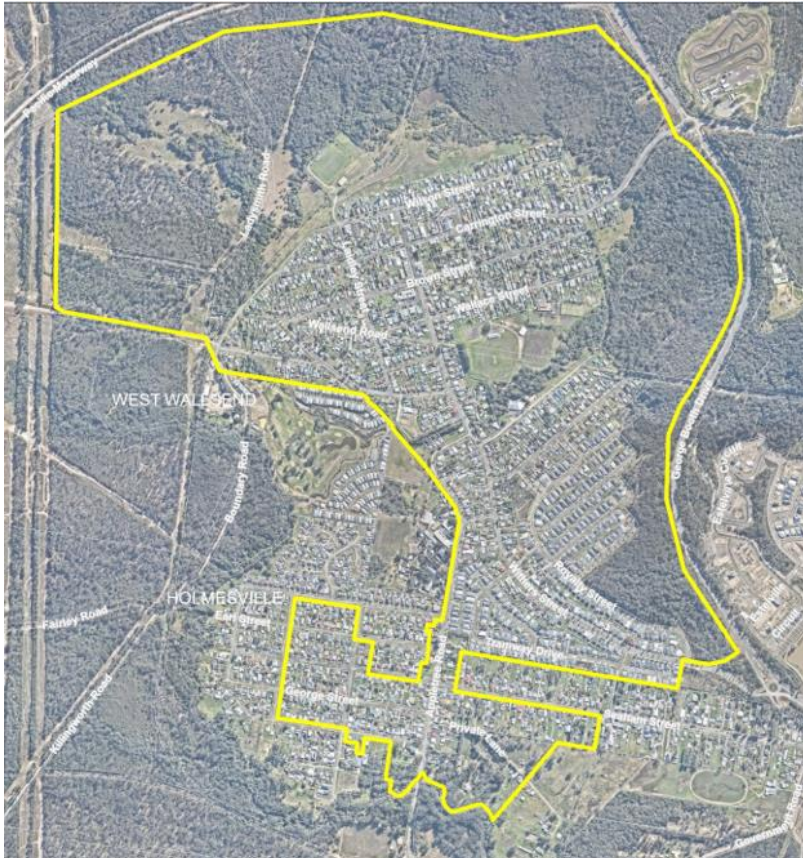


Figure 1: Subject area (source: Planning Proposal)

2 Need for the planning proposal

The planning proposal is a result of the Lake Macquarie Local Strategic Planning Statement (LSPS) action 5.1 *"Report to Council for exhibition a review of the Lake Macquarie Local Environmental Plan and Development Control Plan for the West Wallsend heritage conservation area and implement relevant actions from the West Wallsend Heritage Management Strategy and Streetscape Masterplan to conserve the heritage significance of the area and to manage development in the historic suburb"*

In addition, the planning proposal is based on recommendations within a report prepared by Umwelt Environmental and Social Consultants, titled West Wallsend Heritage Conservation Area and Holmesville Heritage Precinct Development Control Plan Study. This report recommends specific revisions to the LEP and DCP. With these amendments, heritage values within the subject area will be protected, along with providing directions for future development which will enable the West Wallsend and Holmesville villages to improve and grow.

3 Strategic assessment

3.1 Hunter Regional Plan 2041

The planning proposal is consistent with the Hunter Regional Plan 2041 as it aligns with Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments.

Table 3 Regional Plan assessment

Relevant reports and plans	Justification
Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	<p>Consistent</p> <p>The planning proposal is consistent with Objective 6 and the performance outcomes, as it is seeking to conserve, protect and enhance items, areas and place of heritage significance.</p> <p>The planning proposal is proposing to preserve heritage significance in neighbourhoods, along with allowing opportunities for the West Wallsend and Holmesville villages to continue to grow.</p>

3.2 Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan 2036 sets out strategies and actions to drive sustainable growth across Lake Macquarie, Cessnock, Maitland, Newcastle and Port Stephens communities. The Metropolitan Plan contains planning priorities and actions to guide the growth of the region while improving its social, economic and environmental assets.

The planning proposal is consistent with the *Greater Newcastle Metropolitan Plan 2036* as the proposed amendment is seeking to retain the distinctiveness of Greater Newcastle's neighbourhoods and that celebrate their history and character.

3.3 Local

The proposal is consistent with the following local plans and endorsed strategies, including being consistent with their strategic direction and objectives:

- Lake Macquarie Local Strategic Planning Statement
- Lake Macquarie Local Housing Strategy

3.4 Section 9.1 Ministerial Directions

The planning proposal has been considered against the relevant Ministerial directions, it is considered to be consistent with the intent of the directions.

3.5 State Environmental Planning Policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

The planning proposal is not expected to have any significant environmental impacts.

By applying heritage conservation controls to the surrounding natural scenic setting and existing built form, the planning proposal will not adversely affect threatened species.

Landscape buffers will help ensure that the natural environment and existing habitats are preserved as part of the heritage conservation area, possibly offering additional controls to protect the natural environment.

4.2 Social and economic

The planning proposal is not considered likely to result in any adverse social or economic impacts.

4.3 Infrastructure

No new or additional local or State infrastructure has been identified as being needed as a result of this planning proposal.

There will be no change to the current water, sewer or other public infrastructure provisions in the West Wallsend and Holmesville area.

5 Consultation

5.1 Community

Council proposes a community consultation period of 30 days.

The exhibition period proposed is considered appropriate and forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 days to comment:

- Heritage NSW
- NSW Rural Fire Service

6 Timeframe

Council proposes a 11 month time frame to complete the LEP as discussed in the table below.

This aligns with the LEP Making Guideline maximum benchmark timeframes for a standard planning proposal and advice to this effect is recommended in the Gateway determination. It is recommended that if the Gateway is supported it is accompanied by guidance for Council in relation to meeting key milestone dates to ensure the LEP is completed within the benchmark timeframes

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is a standard planning as defined in the Local Environmental Plan Making Guideline, the Department recommends that Council be authorised to be the local plan-making authority for this planning proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- the planning proposal is generally consistent, or justifiably inconsistent with the State, regional and local planning framework;
- the planning proposal is consistent with relevant section 9.1 Directions and SEPPs; and
- the planning proposal has provided sufficient supporting documentation to determine strategic and site-specific merit and can proceed to public exhibition.

9 Recommendation

It is recommended the delegate of the Secretary:

- agree that there no inconsistencies with section 9.1 Ministerial directions.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 30 days.
2. Consultation is required with the following public authorities:
 - Heritage NSW
 - NSW Rural Fire Service.
3. The planning proposal must be exhibited 2 months from the date of the Gateway determination.
4. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
5. Given the nature of the proposal, Council should/ should not be authorised to be the local plan-making authority.



(Signature)

10/5/2024 (Date)

Yasmin Campbell

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22/05/2024

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