

APPENDIX 22

January 2026

Wingham Urban Release Area 1



RESPONSES TO AUTHORITY COMMENTS



APPENDIX 24 – Planning Proposal Response to Authority Comments

The Planning Proposal has been compiled based on extensive consultation with Council and other agencies, and in consideration of comments provided including within the following:

- Planning Proposal Pre-Lodgement Meeting Response from Council (**Response**) (available in **Appendix 23**)
- Email from Council with subject 'Wingham URA 1' dated 7 May 2024 (**7 May Email**) (provided in the following pages as **Appendix 24-1**)
- Letter from Transport for NSW dated 15 May 2024 (**TfNSW Letter**) (provided in the following pages as **Appendix 24-2**)

Table A-24-1 (overleaf) provides details as to how the Proposal has responded to the issues raised since the pre-lodgement meeting on 28 September 2023.

Table A-24-1: Planning Proposal's Response to Authority Comments

Authority Comments	Response
Direct access to Wingham Road "Concern is raised regarding the potential number of lots created that will adjoin a Classified Regional Road, and the number of lots that will require direct access to the road. The purpose of the Classified Regional Road is to act as an arterial road, and any impact to the function of the road needs to be adequately justified." (Response p.9) "Where practicable and safe, TfNSW preference is for access for any future lot facilitated by the proposal to be obtained from a road, other than the classified road, to reduce conflict points and improve road safety. TfNSW recommend access restrictions be applied to the Wingham Road, the New England Highway. (sic)" (TfNSW Letter, p.2) "Concern is raised regarding the potential number of lots created that will adjoin a Classified Regional Road, and the number of lots that will require direct access to the road." (7 May Email)	Wingham Road is a Classified Regional Road and currently there are 25 lots on the northern side plus three residential dwellings and a business (Manning Valley Landscape Supplies) on the southern side that have direct access to Wingham Road. The Proposal proposes the 60km/hr speed limit is extended to east of the Youngs Road / Wingham Road intersection and on the southern portion of Youngs Road. Transport for NSW was consulted on the proposed change to the speed limit by issue of the draft Traffic Impact Assessment and drawings explaining the speed limit conditions and did not raise concern in the subsequent TfNSW Letter. Access to the site is proposed by a roundabout on Wingham Road to be constructed approximately 100 metres east of the existing residential dwellings on Wingham Road. The Concept Lot Layout shows that 5 lots on the west of the proposed roundabout and 6 lots on the east would require direct access to Wingham Road. It is intended that lots with access to an internal road would not be permitted to access Wingham Road directly. The total of 11 lots is a significant decrease from the 23 lots that required direct access to Wingham Road in the Scoping Proposal in response to Council's comments of the number of lots. It is considered reasonable for these lots to have direct access based on: • The relatively minor increase to the existing conditions of Wingham Road including the direct access of multiple existing dwellings and businesses. • The proposed reduction in speed limit and addition of a roundabout to Wingham Road. • The Hunter Regional Plan 2041 focus on infrastructure-first delivery. While the role of Wingham Road as an arterial is acknowledged, permitting direct access to a small amount of lots will enable earlier delivery of lots and project viability for the roundabout access. Many projects in MidCoast LGA have been stalled due to upfront infrastructure works and sale proceeds from lots released earlier could be allocated to delivery of the proposed roundabout. It is understood that the proposal for direct access to Wingham Road of any lots would need to be justified at the time of a development application in any case.

Inclusion of land not identified for growth “The proposed zoning map included in the Scoping Proposal shows residential land outside of the area identified as Wingham Urban Release Area 1 in the MidCoast Urban Release Areas Report 2021.” (Response p.3) “The Planning Proposal should be amended to include only the area shown in the MidCoast Urban Release Areas Report 2021 and Hunter Regional Plan 2041.” (Response p.3)	The Scoping Report was prepared prior to undertaking specialist studies and without comments from authorities. In November 2024, MPT consulted with Council in relation to the areas proposed to accommodate residential zoning in the Scoping Report located in the east and to the northwest of the site that are not identified for growth in the Hunter Regional Plan 2041 or the MidCoast Urban Release Areas (URA) Report 2021. On 24 November 2024, Council confirmed that if investigations were undertaken, the additional parcels would be considered and assessed on merit. Accurate mapping was not available for the Hunter Regional Plan 2014 providing for detailed investigations by technical consultants to define specific boundaries. Such investigations were undertaken to define the extent of land proposed for rezoning to R1 and are appended to this Report. Although the portion of land in the northwest of the site is not affected by the 1% AEP flood event and does not contain other constraints that would prevent development, it was assessed that this land should not be proposed for R1 zoning. The land to the east is considered to relate to defining the growth boundary using targeted assessments rather than an additional area. The area to the east demonstrates site-specific and strategic merit based on evidence based reasoning including the clear lack of development constraints (including biodiversity, flooding, bushfire or heritage) and consistency with DPHI's objectives to enable development that can utilise existing infrastructure and in proximity to open space and services. There are no apparent planning matters or environmental constraints for land at the east to be excluded from the rezoning process. In determining the extent of land proposed for R1 zoning, there were some small areas that were identified for growth that have not been included in the Proposal.
Zoning / Treatment of residual land “Consideration needs to be given to the intended use of the rural lands that form part of the lot and the urban and rural interface. Details should be provided on how the site transitions from residential into a rural environment. A road separating the rural and urban areas would be beneficial. Screening opportunities may need to be explored and incorporated into the conceptual landscaping plan.” (Response pp.5-6)	A draft Precinct Plan was issued to Council on 1 May 2024 showing the land outside the perimeter road residual to the proposed R1 land identified as R5 Residential Large Lot (R5). By creating 9 lots with a dwelling entitlement at an average area of approximately 3.5 hectares, the draft Precinct Plan ensured that the residual land would be well-maintained and provide housing diversity in proximity to the Wingham town centre. In response, Council issued the 7 May Email which raised questions relating to the flood free land of the proposed R5 land and how building envelopes will be provided although confirmed that the R5 zoning was considered the most appropriate in terms of Minimum Lot Size (MLS). The Proposal acknowledges the concerns raised by Council and proposes that the residual land be zoned C4 Environmental Living (C4) with a MLS of 15 hectares. Although slightly less than the 20 hectares MLS utilised by Council elsewhere within the LGA for new C4 lands, it is important that the residual area, which has an area of approximately 32 hectares, can be subdivided into at least two lots due to its shape. Contrary to the “screening opportunities” recommended by the Response, the Proposal seeks to embrace the rural landscape for R1 lands, providing views over rural lands to Cedar Party Creek with mountains in

	the background. The rural-urban interface is proposed to be activated for members of the public by including a shared use path along the perimeter road to enhance the adjoining natural environment.
Riparian enhancement “The Planning Proposal should show opportunities to improve the habitat and creek connectivity. The Scoping Proposal notes “enhancement of landscaped riparian corridors”. Detail should be provided as to how these will be protected, enhanced and managed.” (Response p.4)	The Proposal contains a 50 metre buffer from Cedar Party Creek where no development would be permitted meaning no Controlled Activity is required. Further, the Proposal intends to protect the Cedar Party Creek riparian corridor by rezoning to C2 Environmental Conservation as proposed by Council in the 7 May Email. Measures to address erosion are considered in the Engineering Report plus opportunities for re-planting are consider in the Letter of Offer.
Site-specific Development Control Plan (SS-DCP) “The Planning Proposal will need to provide details about the site-specific Development Control Plan (DCP) chapter.” (Response p.5)	A SS-DCP will be considered following rezoning, prior to the lodgement of the first development application. The Proposal includes the connection of cycle paths and pedestrian links, and the alignment of streets and proposed lots to achieve good solar access as referenced in the Response regarding the DCP. The Landscape Masterplan also provides for the connection to the natural environment.
Initiatives “The Planning Proposal should show opportunities to improve the habitat and creek connectivity. The Scoping Proposal notes “enhancement of landscaped riparian corridors”. Detail should be provided as to how these will be protected, enhanced and managed.” (Response p.4)	It is considered premature to progress these prior to rezoning of the site however all are commonly used in large scale master-planned communities and would be investigated further.
Open Space and Recreation “Council does not currently require additional parks for inclusion in the open space and recreation network that Council would be responsible for. The two proposed park areas as detailed in the Indicative Plan, would need to be provided, managed and maintained by the developer given the predominant benefit is for the future residents of the estate. There is an adequate provision of existing public recreation areas within Wingham which would also be accessible to this future community.” P.8	Based on Council's comments, the Proposal focusses on connection to nearby existing open space including the Chrissy Gollan Park and Central Square. The Proposal may consider co-locating recreation areas within stormwater basins at the development application stage, subject to discussions with Council. This presents an outstanding opportunity to build upon the proposed shared use path to encourage pedestrian and cyclist activity.

Access near Level Crossing “In relation to the proposed intersections there is concern regarding southern access being in close proximity to the railway crossing and the proposal needs to ensure it is satisfactory to enable movement. Intersection design will likely need to be channelised.” (Response p.9) “...any proposed intersection near the rail level crossing will need to provide enough distance from the level crossing to meet Austroads ‘Short Stacking’ guidelines.” (TfNSW Letter p.1) “In relation to the proposed intersections there is concern regarding southern access being in close proximity to the railway crossing, and the proposal needs to ensure it is satisfactory to enable movement.” (7 May Email)	The proposed access near the Level Crossing has been removed and retained for emergency vehicles only.
Maximum Yield “The TIA has modelled the estimated lot yield of up to 300 residential lots, however the proposed minimum lot size of 450m² has the potential to facilitate significantly more lots. TfNSW recommend further sensitivity analysis of the highest yield be undertaken.” (TfNSW Letter p.1)	A yield in excess of 300 lots is considered highly unlikely and the Proposal would welcome a restriction to ensure this is the case.

APPENDIX 24-1: 7 MAY EMAIL



Tim Colless

From: Michael Griffith <Michael.Griffith@MidCoast.nsw.gov.au>
Sent: Tuesday, 7 May 2024 1:23 PM
To: Tim Colless
Cc: Sue Calvin
Subject: RE: Wingham URA 1
Attachments: threat_extracted_351-23-00-SK1-B (Precinct Plan).pdf

Good afternoon Tim,

Thank you for sending this information through for our initial feedback. Please note that this revised proposal has not been subject to a pre-lodgement meeting process, so Council reserves its right to provide further comment and information requests during the lodgement/assessment phase of any future draft PP. In addition to the previous feedback provided (including the Planning Proposal Pre-Lodgement Meeting Response – September 2023), below is some feedback for your consideration:

- Most of the proposed R5 lots appear to have little or no flood free land. How the building envelopes will be provided, and development limited within the Flood Planning Area? The creation of additional flood prone lots is not in accordance with aims of the Floodplain Risk Management Manual. Are you able to provide a map showing the layout and the extent of the flood free land? We will require information to demonstrate that the building envelopes will be suitable.
- Erosion is a major concern in this area as the soils are highly erodible. Protection of the riparian zone would be required, and potentially revegetation of this area would be required. A restriction to user may be required and applied to the title. It is considered that development in close proximity to the riparian zone is not appropriate as this area due to the high velocities and erodible soils. The riparian zone would need to be zoned accordingly (C2) and be of sufficient width that is guided by the technical reports and studies. Details are required about how the riparian zone will be managed and maintained (including how it will be accessed).
- The stormwater treatment areas appear to be draining through the proposed R5 lots. Can information be provided as to how this would be managed especially noting the concentration of stormwater flows that will be unavoidable in private property. Are you seeking to dedicate this land to Council? Is S5 located within the road reserve, and what is the plans for the land either side? The level spreading of stormwater would be one of the key mechanisms for the minimisation of erosion for this development. There needs to be enough space to accommodate water sensitive design features and achieve water quality outcomes across the site. This will need to be demonstrated through the technical assessments/studies.
- Under the draft MidCoast LEP, the 20ha minimum lot size has generally been applied to new areas of C4 Environmental Living. Whereas the R5 zone is proposed to have the following controls 4,000m² (sewer connection) or 1.5ha (no sewer connection). Therefore, based on MLS, the R5 zone is likely to be better suited. The PP would need to include justification as to how the R5 proposal complies with the HRP and Housing Strategy and include commentary as to why it is required.
- Subject to the findings of the biodiversity assessment and studies, the pockets of remanent vegetation including grassy open woodland could protected.
- Concern over the proposed R5 lot building envelope that is in proximity to the railway line.
- As the development is not identifying any parks, have you started thinking about how pedestrians could access Wingham and parks like Chrissy Gollan Park? Details should be provided in the Planning Proposal about how the through-site pedestrian and cyclist links will be provided, and the destination of these links. Details would also be required as to how to get pedestrians/cyclists safely across the road and rail crossing.
- In the draft Precinct Plan, there is discrepancies between the lot sizes shown in the legend and the development summary.
- Concern is raised regarding the potential number of lots created that will adjoin a Classified Regional Road, and the number of lots that will require direct access to the road. The purpose of the Classified

Regional Road is to act as an arterial road, and any impact to the function of the road needs to be adequately justified. In relation to the proposed intersections there is concern regarding southern access being in close proximity to the railway crossing, and the proposal needs to ensure it is satisfactory to enable movement.

I hope this information is helpful, and please let me know if you need any further information.

Regards,
Michael

Michael Griffith | Manager Land Use Planning

Direct (02) 7955 7763

Email Michael.Griffith@MidCoast.nsw.gov.au | midcoast.nsw.gov.au



We deliver benefits for our community in a way that adds value and builds trust

OUR COMMITMENT TO OUR COMMUNITY

Have your say on Council's Delivery Program & Operational Plan by 4:30pm 9 May 2024.



We acknowledge the traditional custodians of the land on which we work and live, the Gathang-speaking people and pay our respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. We extend our respect to Elders past and present, and to all future cultural-knowledge holders.

From: Tim Colless <tim.colless@hampstead.com.au>
Sent: Wednesday, May 1, 2024 1:49 PM
To: Michael Griffith <Michael.Griffith@MidCoast.nsw.gov.au>
Subject: RE: Wingham URA 1

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Hi Michael,

This plan is very much a draft; there are numerous changes that need will be made following input from technical assessments however I provide a better understanding of what we are considering outside the perimeter road.

For context of area, the lot adjoining the rail is approximately 8,600m (>2 acres).

As discussed, we may consider a C4 zoning subject to MLS.

Cheers

Tim Colless

Hampstead Property

0403 234 066 | Tim.Colless@hampstead.com.au

From: Michael Griffith <Michael.Griffith@MidCoast.nsw.gov.au>

Sent: Wednesday, May 1, 2024 1:37 PM

To: Tim Colless <tim.colless@hampstead.com.au>

Subject: RE: Wingham URA 1

Good afternoon Tim,

Thanks for sharing this information. Is there a current plan you can share?

Thanks,
Michael

Michael Griffith | Manager Land Use Planning

Direct (02) 7955 7763

Email Michael.Griffith@MidCoast.nsw.gov.au | midcoast.nsw.gov.au



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April to June

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We acknowledge the traditional custodians of the land on which we work and live, the Gathang-speaking people and pay our respects to all Aboriginal and Torres Strait Islander people who now reside in the MidCoast Council area. We extend our respect to Elders past and present, and to all future cultural-knowledge holders.

From: Tim Colless <tim.colless@hampstead.com.au>

Sent: Tuesday, April 30, 2024 2:23 PM

To: Michael Griffith <Michael.Griffith@MidCoast.nsw.gov.au>

Subject: RE: Wingham URA 1

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Hi Michael,

As I raised on the phone, we have given a lot of thought to the urban-rural interface as raised in the Minutes and we are proposing an R5 zoning outside the perimeter road.

From a strategic perspective, we feel this approach is consistent with the Rural Lands Strategy which refers to Large Lot Residential typically providing a buffer between rural and urban landscapes, and also with the Regional Plan and Housing Strategy in terms of housing diversity particularly so close to amenity and the town centre. We have also considered site-specific aspects and are confident the approach works within constraints such as flooding and ecological.

Any dwellings in the proposed R5 area would need to be close to the perimeter road for flood safety purposes, plus the PP will maintain a minimum 50 metre buffer from the Cedar Party Creek in which no development works will be proposed/permitted.

Permitting R5 for the residual land will ensure that the properties will be maintained to a higher level in the long-term which will provide a strong rural to urban interface.

High-level, the property is 64ha and the R1 area including roads is ~30ha so the R5 area would be ~34ha. We would be proposing no more than 10 lots (AVG 3.4ha / 13.7 acres) and are happy to propose that MLS control that confirms this.

We're interested to involve Council in the planning of this property so invite any comments or concerns that can be addressed in the PP package.

Please do not hesitate to contact me if you have any questions.

Regards

Tim Colless

Hampstead Property

0403 234 066 | Tim.Colless@hampstead.com.au

From: Michael Griffith <Michael.Griffith@MidCoast.nsw.gov.au>

Sent: Monday, April 29, 2024 7:56 AM

To: Tim Colless <tim.colless@hampstead.com.au>

Subject: RE: Wingham URA 1

Hi Tim,

Thank you for the update.

Talk soon,

Michael Griffith | Manager Land Use Planning

Direct (02) 7955 7763

APPENDIX 24-2: TFNSW LETTER



15 May 2024

File No: NTH24/00124/002

Your Ref: -

Hampstead Property

Email: tim.colless@hampstead.com.au

Attention: Tim Colless

**New England Highway (HW9) – Pre-Planning Proposal Draft Traffic Impact Assessment
Wingham URA1 – Cedar Creek Estate - Lot 92 DP1285477, Wingham Road.**

I refer to the abovementioned Traffic Impact Assessment (TIA) referred to Transport for NSW (TfNSW) on 2 May 2024 for comment in accordance with the Department of Planning Housing and Infrastructure's (DPHI) Local Environmental Plan Making Guideline (August 2023).

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Wingham Road, the New England Highway (HW9) is a classified (State) road and all other roads within the site location are local roads. Council is the roads authority for both roads and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

Proposed amendment

The planning proposal currently proposes to rezone 61.5 hectares from RU1 Primary Production to R1 General Residential zone in the Greater Taree Local Environmental Plan 2010 (GTLEP) and enable a minimum lot size of 450m².

Preliminary comments

TfNSW has reviewed the draft TIA and proposed lot layout and provides the following observations:

1. The TIA has modelled the estimated lot yield of up to 300 residential lots, however the proposed minimum lot size of 450m² has the potential to facilitate significantly more lots. TfNSW recommend further sensitivity analysis of the highest yield be undertaken.
2. TfNSW understand two (2) new intersections on Wingham Road are proposed to mitigate the impact of the development anticipated under the Planning Proposal.

The concept sketch provided for the proposed left in/left out intersection on Wingham Road does not identify the distance between to rail level crossing and demonstrate how the right turn movement restriction would be enforced. As Wingham Road is an approved 26m B-Double Route, any proposed intersection near the rail level crossing will need to

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provide enough distance from the level crossing to meet Austroads 'Short Stacking' guidelines.

Strategic design details of both intersections on Wingham Road should support the Planning Proposal.

Note: TfNSW [Strategic Design for DA's factsheet](#) will assist in identifying the level of detail required in strategic design drawings for any proposed road works on a classified road.

3. Where practicable and safe, TfNSW preference is for access for any future lot facilitated by the proposal to be obtained from a road, other than the classified road, to reduce conflict points and improve road safety. TfNSW recommend access restrictions be applied to the Wingham Road, the New England Highway.
4. The Growth rate calculation method should be provided within the TIA. TfNSW was advised by email of 2 May 2024 the compound method has been used in this instance.

If you have any further enquiries regarding the above comments please contact Leisa Sedger, Development Services Case Officer, on 1300 207 783 or 02 9549 9485 or by emailing development.north@transport.nsw.gov.au.

Yours faithfully



Court Walsh
Team Leader Development Services
North Region | Community & Place
Regional & Outer Metropolitan

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