



# Planning Proposal Review Request

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98 Coachwood Drive, Medowie NSW 2318

Prepared for: Paxria Pty Ltd and Fourthwell Pty Ltd

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## 1.0 Introduction and Executive Summary

CPS acts for Paxria Pty Ltd and Fourthwell Pty Ltd, the proponent for Planning Proposal PSC2041-04142 lodged with Port Stephens Council (Council) on 3 December 2014. Council has failed to determine the Planning Proposal for a period well in excess of 90 days. Accordingly, the proponent now seeks a formal review of the proposal by the Joint Regional Planning Panel. This letter is provided to outline the reasons for the request for a Rezoning Review of the Planning Proposal.

Since the lodgement of the application, Council and the Office of Environment and Heritage (OEH) have failed to gain a thorough understanding of the specific characteristics of the land, and have not given proper consideration to the expert advice that has been provided to demonstrate that the site is suitable for the proposed land use, or how the site facilitates the achievement of the strategic planning objectives for the locality.

A Rezoning Review was lodged with the Department of Planning and Environment in December 2017. A letter was received by the proponent on 5 February 2018, which indicated that the Department had rejected the application because it was not the current proposal that was before Port Stephens Council. The proponent acknowledges that there are differences between the original Planning Proposal, and the amended proposal that is currently with Council, as amendments were made by the proponent for the purposes of expediency. The purpose and rationale of the amended proposal is largely identical to the original proposal; however, the proposed minimum lot sizes are higher than those within the original proposal. The Rezoning Review was sought based on the first revision of the proposal, for the following reasons:

- The proposals were fundamentally similar;
- Each version of the application had been under Council consideration for over 90 days; and,
- The issues outlined by Council and the OEH were unchanged as a result of the amendment.

Despite the above, the proponent accepts the position of the Department and this Rezoning Review now relates to the amended proposal, which has been under consideration by Council since April 2015. Supporting documentation and payment has been retained at the Hunter Branch of the NSW Department of Planning and Environment.

Council have not yet indicated support or otherwise for either the original or the amended proposal, and despite considerable dialogue and interaction between Council and the proponent, the progression of the application within Council has become stagnated. Negative commentary from OEH, which places unnecessary emphasis on the existing zoning, has discouraged the advancement of the proposal to date. As a result, Council have failed to give adequate weight to consider the strategic and site-specific merits of the proposal. The progression of this matter has been unduly frustrated by unsupported objections to the proposal by OEH and others. The purpose of this request for a Rezoning Review is to introduce an independent analysis of documentation prepared to date, as well as supplementary documentation provided with this application.

The Planning Proposal is consistent with the objectives of the planning strategies adopted for the area and will provide a means to delivering the urban population necessary to meet the growing demands for employment accommodation at the RAAF Base Williamstown, further expansion of the airport (passenger and freight) and Defence Aviation and Related Employment Zone, and to support Raymond Terrace as the primary services centre within the Port Stephens Local Government Area (LGA).

Historical dwelling targets have failed to be accommodated within Medowie, and within the wider Port Stephens LGA, primarily due to a legacy left by fragmented land ownership and subdivision patterns that are not conducive to redevelopment. Furthermore, the existing subdivision patterns are characterised by small and irregular allotment sizes, which can hinder the capacity to release land that can contribute to the housing and land use targets. The site represents a unique opportunity to provide suitably located new release housing development land, which would be able to be developed in a relatively short timeframe and assist in meeting the targets for new release development within the Port Stephens LGA. The site represents the only suitably sized, unfragmented land under one ownership that adjoins existing low density residential development, and the site has the advantage of being able to be integrated with existing services.

The site is capable of delivering new residential allotments and contributing to housing stock and housing choice in the area. The site enjoys advantages compared to other land identified for development in the local land use strategy, the Medowie Strategy, and the proposal will facilitate the delivery of well positioned residential land, free from constraints applying to other land identified within the Medowie Strategy.

The subject site is suitably located at the eastern edge of the Medowie suburban locale, and there are two stub roads, created under the original Medowie East “Kindlebark Estate” Masterplan to facilitate development of the subject land. It has been acknowledged by Council that the site is suitably located to accommodate an extension to the existing bus route and the Medowie Shared Path Network.

Additionally, the remediation and proposed transfer of 26ha of the site to public ownership for permanent protection of land containing MU 42 Riparian Melaleuca Swamp Woodland and MU 37 Swamp Mahogany – Paperbark Forest. Any lost vegetation is able to be offset under an ‘improve and maintain’ philosophy in accordance with OEH guidelines and agreements.

Given the age of the planning proposal application, there is deemed to be little utility in providing any further information, when there is no indication that submission of such information will assist Council in forming a position on the proposal. The information provided with this review demonstrates that there is sufficient merit to satisfy the Joint Regional Planning Panel to progress the proposal to the Gateway determination progress. The majority of the issues that have been raised with the proponent to date, can either be resolved through the preparation of further studies, or through minor refinements to the planning proposal. This is supported by further advice received from relevant experts on the respective matters that were raised.

Information provided with the application demonstrates that the issues that have been raised by Council and OEH, represent either a misunderstanding of the technical advice that has been provided to Council, or a requirement for further clarification given issues that would ordinarily be expected to be provided as part of either the Gateway assessment, or through a subsequent development application. Through the Gateway process, the proponent is able to engage in providing further studies, public consultation, public hearings, and agency consultation.

The attached Information Package prepared by the proponent, responds to the referrals provided by OEH, Council’s Environmental Management and Council’s Facilities and Services groups, and provides a balanced view of the responses based upon professional expert assessments and reporting.

Responses from relevant consultants have been prepared in relation to each of the outstanding issues that have been raised by Council and the OEH.

Additionally, for contextual purposes a Comparison Paper has been attached which provides a factual analysis of the Planning Proposal in light of the recently approved rezoning on Boundary Road, to the north of the northern limits of the Medowie township. This land was not included within the original Medowie Strategy, and it only became part of the strategy following the actions of the owner to initiate the inclusion of this land within the Medowie Strategy. Assessed against all relevant items for consideration, the paper highlights the superiority of the Coachwood Drive proposal over the Boundary Road Gateway approval.

As Council has not yet identified any particular reasons why the application is unable to progress to the Gateway process, it is considered that the Joint Regional Planning Panel should recommend that the Planning Proposal proceed to the Gateway process.

## 2.0 Site and Context Analysis

The subject site is legally described as Lot 1 in DP 1019113, with an address of 98 Coachwood Drive, Medowie. The land is located approximately in the centre of the Port Stephens LGA. The site is 61.93ha in total, lies on the eastern edge of the existing suburban township of Medowie, and represents an extension of the 'Kindlebark Estate' urban development.

Low density residential development along Coachwood Drive borders the site to the west and south and native bushland within Medowie State Forest borders to the northwest. To the east, a large unbroken tract of native bushland within Salt Ash Air Weapons Range extends from the site to Twelve Mile Creek and to the coast of Port Stephens. The eastern border of the site also includes the northern end of the state significant wetlands within the Moffats Swamp Nature Reserve. To the southeast, a decommissioned Hunter Water Corporation development with eight small ponds lies between the residential areas and Moffats Swamp.

The site generally consists of bushland at the urban fringe, bordering an existing residential development that is contiguous with the Salt Ash Air Weapons Range. Several unpaved tracks run from the residential development to the edge of Moffats Swamp and parallel to the associated low swampy areas. The site slopes from an elevation of approximately 30m AHD near residential developments in the northwest down to approximately 10m AHD in Moffats Swamp in the southeast. The topography of the site is a gentle west to east decline from residential developments in the west down to swampland in the east.



**Figure 1** – Cadastral map of the site (shaded yellow) and surrounds – 98 Coachwood Drive, Medowie  
Source: <http://sixmaps.com.au>

Medowie lies north of Newcastle, midway between Stockton Beach and the Pacific Highway. Nearby major centres include Newcastle, Raymond Terrace and Maitland. Road connections to Medowie are available via the Pacific Highway and Nelson Bay Road with local connections from Richardson Road and Medowie Road. Medowie is bound to the west by the Grahamstown Dam, which separates Medowie from Raymond Terrace. The RAAF base is located at Williamstown Airport, which is approximately 6.5km to the southwest of the subject site.

The urban framework of Medowie is defined by a north-south (Medowie Road) and an east-west (Ferodale Road) axis. The primary commercial precinct of Medowie is located on to the northwest of the intersection of these two axes, approximately 1.75km from the subject site.



## 3.0 Planning Proposal

The Planning Proposal seeks to enable low density residential development on the southwestern portion of the existing allotment, with the remainder to be dedicated as National Parks. A range of studies have been undertaken to address potential environmental impacts associated with the proposal.

### 3.1 Proposed LEP Amendments

The Planning Proposal seeks various amendments to the *Port Stephens Local Environmental Plan 2013* (PSLEP 2013) in order to enable residential subdivision within the subject land. The intended outcomes for the land are proposed to be achieved through amendments to the PSLEP2013, as indicated within the table below.

**Table 1 –Proposed changes to PSLEP2013**

Element	Existing	Proposed
Zoning	E2 Environmental Conservation & SP1 Special Activities	R2 Low Density Residential, E1 National Parks and Nature Reserves & SP1 Special Activities
Minimum Lot Size	40 ha	1,000sqm / 2,000sqm
Height of Buildings	N/A	9m

The proposed changes to the PSLEP2013 maps are shown below.

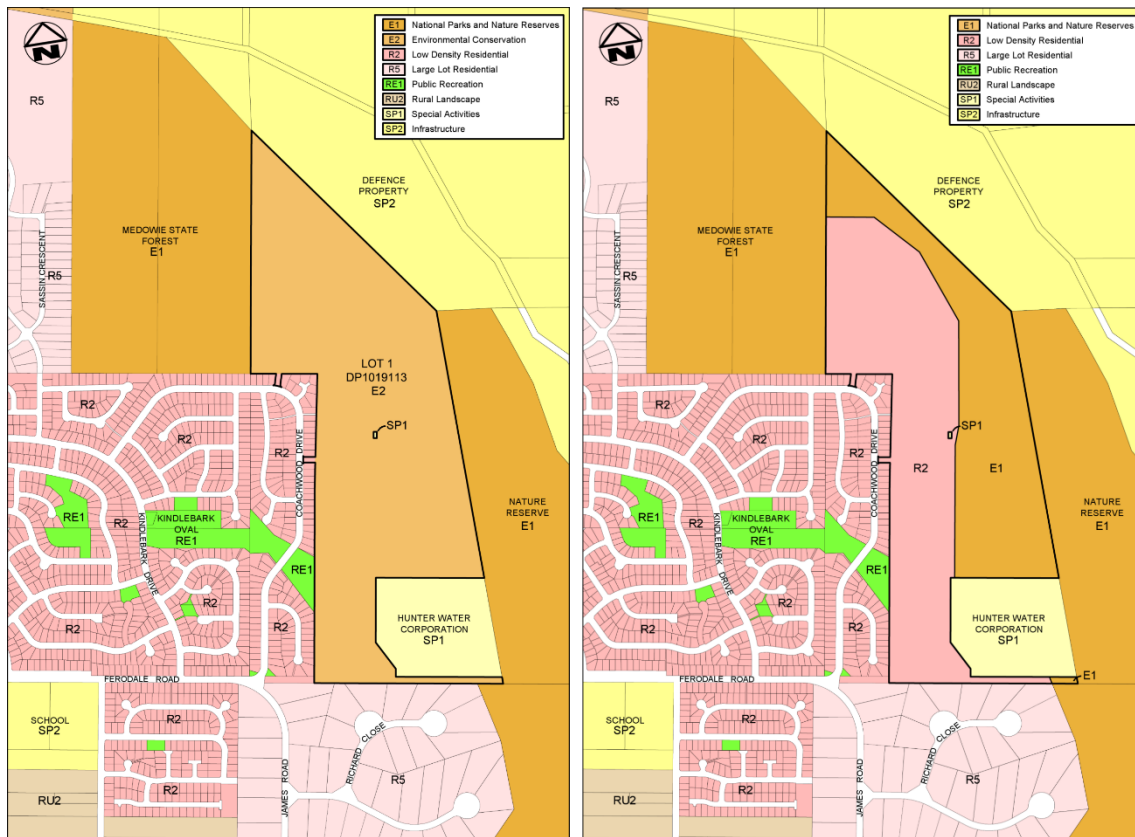


Figure 2 Existing (left) and proposed (right) PSLEP2013 zoning maps

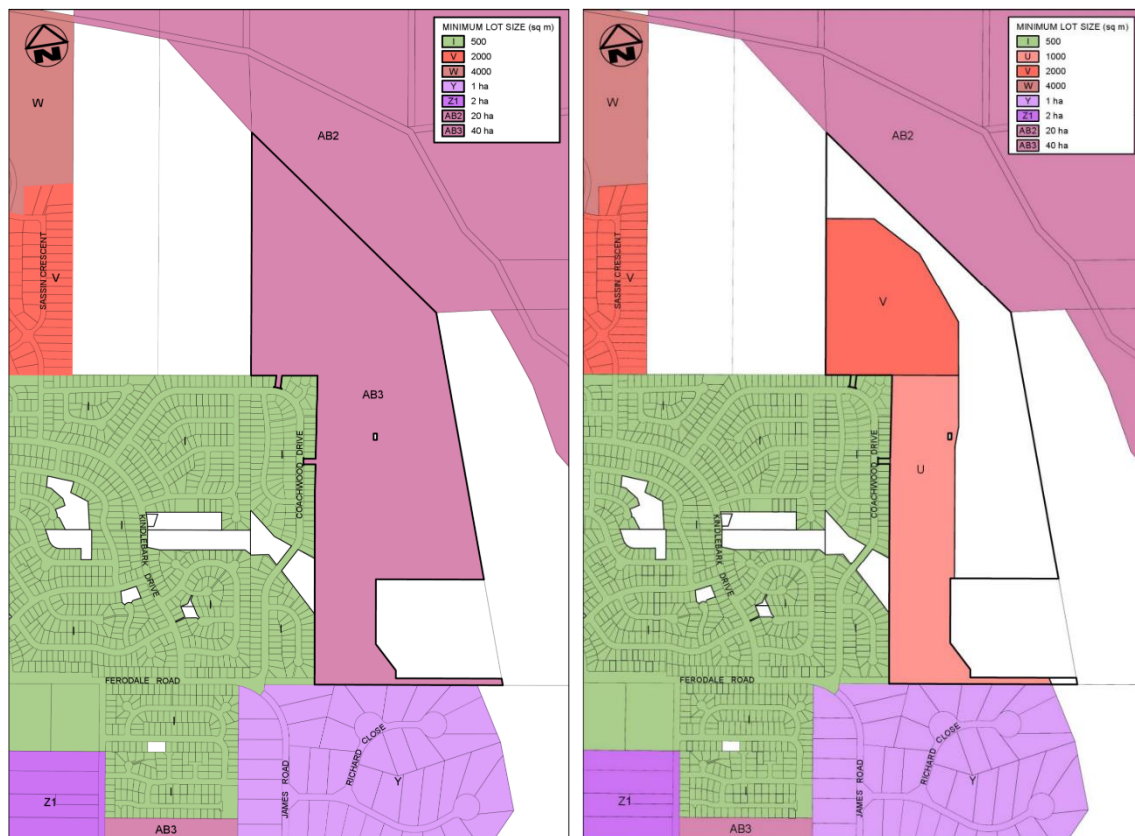


Figure 3 Existing (left) and proposed (right) PSLEP2013 minimum lot size maps

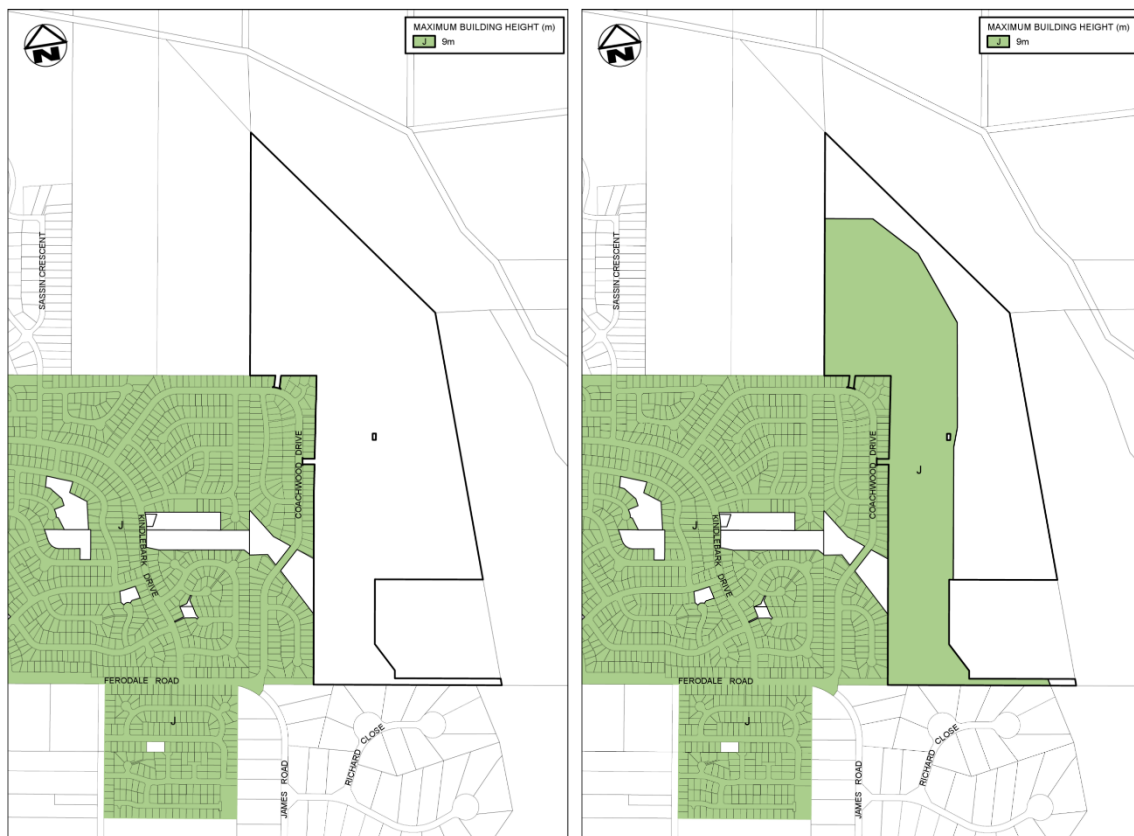


Figure 4 Existing (left) and proposed (right) PSLEP2013 height of buildings maps

## 3.2 Documentation

The following documentation is contained within the Planning Proposal to support and provide detail of the proposal:

- Planning Proposal to amend Port Stephens LEP 2013 (Carman Surveyors, Oct 2014),
- Revised Planning Proposal in Response to Referral Comments (Carman Surveyors, Apr 2015),
- Flora and Fauna Assessment Report (RPS, Aug 2013),
- Preliminary Bushfire Hazard Assessment advice and APZ Mark up (RPS, Oct 2013),
- Water Cycle Management Plan (WBM BMT, Jul 2013),
- Infrastructure Assessment Report (Carman Surveyors, Jan 2015)
- Urban Design Report (Design Partnership, Jul 2013),
- Hunter Water Preliminary Servicing Advice (HWC, May 2013),
- AHIMS Web Services Search Results (AWS, Jul 2013),
- Information Package referencing Group Referral Responses (Carman Surveyors, Feb 2015),
- Boundary Rd Comparison Paper and Information Summary (Carman Surveyors, Aug 2015).
- Port Stephens Council initial response to environmental issues (PSC, Feb 2015),
- Office of Environment & Heritage response to Council (Office of Environment and Heritage, Feb 2015),
- Traffic Impact Study (Northern Transport and Engineering Pty Ltd, Mar 2018).

- Letter regarding Flood Risk Assessment (BMT WBM, Apr 2018).
- Comments on Referral Agency Responses - Biodiversity (MJD Environmental, Mar 2018).

### 3.3 Application History

The following table provides a summary of the basic information relevant to the proposed development on the site.

**Table 2 – History of Planning Proposal**

Date	Progress
3 December 2014	Planning Proposal lodged with Port Stephens Council
5 December 2014	Request made to consider inclusion of the site in the Medowie Strategy review
16 February 2015	Council provides Environmental Group internal comments to the applicant
17 February 2015	Council provides Engineering and Infrastructure Group internal comments to the applicant
24 February 2015	Referral Responses received from Office of Environment and Heritage
10 March 2015	Site walkover with Council staff
8 May 2015	Revised planning proposal submitted to Council in response to PSC and OEH comments
26 May 2015	Received letter of response from Council re: revised planning proposal
1 August 2015	Boundary Rd Comparison Paper and Information Summary provided to Council
17 December 2014	Initial meeting held with Council following lodgement of planning proposal
16 June 2015	Meeting held with Council staff in relation to potential reporting to Council meeting
18 February to 21 April 2016	Draft revised Medowie Strategy exhibited
13 December 2016	Revised Medowie Strategy adopted by Council
18 December 2017	Initial Rezoning Review lodged with the Department of Planning and Environment
5 February 2018	Letter issued to proponent indicating that the initial Rezoning Review had been rejected by the Department of Planning and Environment

## 4.0 Strategic and Site Specific Merit

### 4.1 Strategic Merit Test

The strategic merit test stipulates three Assessment Criteria for assessing the strategic merit of a Planning Proposal, as follows:

1. Proposals must be consistent with the relevant regional plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
2. Consistent with a relevant local strategy that has been endorsed by the Department;
3. Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

This section of the report indicates the Strategic Merit of the proposal when compared with the relevant regional plans and the local strategy. The response to the third criterion is contained within the discussion relating to the local strategy, the Medowie Strategy.

#### 4.1.1 Lower Hunter Regional Strategy 2006 – 2031

The Lower Hunter Regional Strategy 2006-2031 (LHRS) indicates that a total of 69,200 new release dwellings are required to be made available in the period from 2006 to 2031. Of those 7,200 are expected to be within the Port Stephens LGA. Medowie is referred to in the LHRS as a township with the potential to contribute towards the regionally required 69,000 new greenfield lots over 25 years. Key to the success of the Strategy is maintaining the character of existing suburbs, providing greater housing choice and maximising the use of existing infrastructure such as public transport, while identifying and protecting environmental assets. The Planning Proposal supports these high-level criteria.

The LHRS promotes the need for a greater mix of housing types. The planning proposal includes a range of community and affordable housing stock, more standard housing product and to a lesser degree, higher value housing opportunities. Community and affordable housing stock will include smaller, lower maintenance homes, units and attached dwellings for older people and young singles or couples. The majority of land holdings in the Medowie region are substantially less than 50 hectares thus limiting opportunity for development.

The proposed residential zone is a natural extension of the adjoining Medowie East Kindlebark Estate and includes several “road stubs” left in the original development of Coachwood Drive for future road entry points. The proposal will maximise the use of, and embellish existing infrastructure, public transport, pedestrian and cycle way links and utility services. A proposed shared pedestrian cycleway will link the site with the existing paths closer to the shopping centre which will support a greater level of community recreational and pedestrian activity throughout the neighbourhood. Housing demand created by expanding employment opportunities in relation to the Defence and Airport related employment zone at Williamstown, Medowie commercial and community centre, and proposed secondary school is able to be partly met by the proposal.

The Planning Proposal master plan will provide a greater level of environmental protection than the current land use. Illegal use of the site for dumping, weed infestation and off-road vehicles will be eliminated. Ineffective stormwater management devices currently on the property and managed by council will be replaced by stormwater management systems designed to support biodiversity and protect the sensitive downstream Moffatts Swamp ecosystem that is currently under threat. The protection of the Conservation zoned land through an effective Voluntary Planning Agreement supported by a Biobanking scheme will protect the ecologically valuable portion of the site in perpetuity.

The residential component of the planning proposal is consistent with the strategic outcomes of the LHRs with respect to:

#### Housing

- The proposal will provide a new release area that is located to ensure that new housing has access to major centres and employment lands, noting the close proximity of the site to the RAAF Base in Williamstown – Newcastle Airport Employment Zone. With upgrades to the RAAF base, and the preparations currently in place for international passenger flights to be operated out of Newcastle Airport, job generation arising from the airport is likely to continue to increase during the period that land is able to be released at the subject site.
- An affordable housing precinct, located within the southern section of the site, complete with good access to public transport and community facilities, will facilitate the provision of an increased responsibility for private sector involvement in the provision of low cost housing.

#### Transport

- The LHRs seek to concentrate employment and residential development in areas within close proximity to public transport. Direct bus links between the eastern end of Medowie and Williamstown airport are currently available in under 20 minutes via the 136 service. However, currently limited services are available, which reduces the patronage of this route. The concentration of increased residential density at the eastern end of Medowie provides a unique opportunity within the Lower Hunter for improvements in the delivery and patronage of public transport services to regional employment centres. With potential increased population further to the south along the existing 136 route, it is likely that public transport services will be able to be improved to meet the demands of the likely increased patronage.

#### Environment and Natural Resources, Natural Hazards

- The proposal provides for the permanent conservation of land that has a high biodiversity value. It is noted that Council and the OEH queried the mechanisms outlined for the management of impacts to biodiversity. Further discussion is provided in Part 5.2 of this report.
- Flooding impacts are able to be managed through the coordination of a stormwater and flood management strategy for the site. The development footprint has been designed in

consideration of existing site contours, flood levels provided by Council, and catchment modelling.

- The proposal provides a range of water-sensitive urban design features, and allows for a complete revisit of the existing poorly operating stormwater quality control systems within the site, which undermine the ecological attributes of the surrounding bushland. Additionally, the proposal seeks to replace undersized upstream drainage structures with appropriately designed and located stormwater management infrastructure.
- The planning proposal is compliant with the Sustainability Criteria scheduled for consideration under the LHRS, noting the following:
  - There is capacity to expanding on the existing infrastructure and services currently available within the local area.
  - The subject site is able to be accessed by public transport and will not unduly impact on the performance of any existing networks.
  - The proposal contributes to low density housing supply, including the provision of affordable housing.
  - The proposal provides for the protection of high-value vegetation communities.
  - The Planning Proposal does not represent a risk to existing or future residents, as the residential component is clear of flooding and natural constraints and will provide a greater measure of bushfire protection to existing residents than currently exists.

#### 4.1.2 Draft Hunter Regional Plan 2031

The Draft Hunter Regional Plan 2031 (DHRP) builds on the objectives of the LHRS, and provides some general strategic goals for Newcastle and the Hunter, with limited specified targets for new development. Although the overarching objectives of the strategy are similar to those within existing strategic plans, new direction is provided within the plan, which indicates that increased demand for housing is likely within Medowie, and the wider Port Stephens area. This includes:

- Between 2016 and 2030, passenger numbers at Newcastle Airport are expected to double.
- The DHRP seeks to promote the growth of industries within Port Stephens that can leverage of the accessibility provided by the Pacific Highway. Within the Port Stephens LGA, Medowie represents one of the most prominent opportunities to deliver on this goal.
- Development opportunities are to be explored in order to facilitate an industry cluster surrounding the airport, including high-technology industry, defence and aerospace activities.
- Medowie is listed as a centre of local significance.

The future adoption of the DHRP is likely to require an analysis of the appropriateness of the mechanisms that are in place to achieve the dwelling targets that are currently envisaged within existing plans. The DHRP places renewed importance on Medowie's position within the region, and the expectations of the plan are not currently able to be met by the Medowie Strategy.



The DHRP is far more focussed on economic outcomes than the LHRS, and Medowie provides a unique opportunity within the Lower Hunter to deliver a local population to a concentrated regional employment centre. Aside from the Newcastle City Centre, there are limited other employment hubs within the region, particularly as other major industries within the region tend to relate to primary industries, such as agriculture and mining, which are characterised by dispersed economic activity. There is inadequate housing surrounding the Newcastle Airport to accommodate employees, and long commutes are currently associated with employment at the airport. The subject proposal provides a unique opportunity to improve the local connectivity to employment land.

#### 4.1.3 Lower Hunter Regional Conservation Plan 2009

The Lower Hunter Regional Conservation Plan 2009 (LHRCP) establishes a strategy to inform conservation planning in the Lower Hunter Valley over a 25 year program. It sets out a full range of government planning policies and identifies proposed areas of growth. It identifies a 'Green Corridor' stretching from the Watagan Ranges, through Hexham Swamp to Port Stephens.

The planning proposal allows for the addition of environmentally sensitive wetland areas to be added to the green corridor as a biodiversity offset to the development of historically degraded portions of the site under 'improve or maintain' principles. In doing so, optimal land management boundaries and buffer zones will be established.

A Voluntary Conservation Agreement (VCA) designed to preserve and support ongoing management of the four vegetation communities considered to be of high ecological value is proposed in the manner encouraged under the LHRCP. The VCA will include mechanisms for community interaction and ownership through active and passive recreation and management opportunities.

#### 4.1.4 Port Stephens Planning Strategy 2011-2036

The Port Stephens Planning Strategy 2011-2036 (PSPS) seeks to promote greater urban consolidation in order to increase the use of public transport and achieve efficiencies in the use of existing and future infrastructure. The proposal provides much needed urban growth "around centres and directing urban expansion to suitable areas near existing centres and services". Medowie has been identified as one of Port Stephens LGA's main urban release areas and falls within the medium to long term "Eastern Growth Corridor" area due to its proximity to the employment and service centres of Williamstown RAAF Base/ Newcastle Airport and Raymond Terrace respectively.

The PSPS places special emphasis on the delivery of additional dwellings through the further subdivision of rural-residential lots. However, the strategy acknowledges that 95% of all rural holdings are less than 42ha, and that fragmented ownership can pose difficulties for this approach to population growth. Substantial provision is made in the regional planning strategies for the release of greenfield land in the LGA for housing for 7,200 dwellings by 2031, including a major expansion of Medowie, and a total of 12,500 additional dwellings are projected for the LGA from 2006 to 2031.



The PSPS acknowledges that the release of land within the LGA can be constrained by a number of factors including:

- Reluctance on the part of some landowners to make land available for development.
- The potential dwelling numbers of existing zoned land within some areas often rely heavily on urban consolidation/infill being achieved.
- Lead times in the rezoning and development of land, including the provision of sufficient infrastructure.
- Impact of demographic trends and their changes over time.
- The need to provide a spread of future release areas in a range of locations to provide location choice, product choice and competition.
- Impact of potential constraints on future release areas (eg. Aircraft noise, ecology, flooding, bushfire, infrastructure costs, fragmented land ownership).
- Not all land identified within the growth areas will be developed for urban uses.

The subject proposal overcomes each of these constraints. Importantly amongst the list above, the PSPS notes that a spread of new release land is required to allow for product choice and competition. The recent amendments to the Boundary Road subdivision (PP\_2016\_PORTS\_008\_00) to permit lot sizes between 300-400sqm, will result in there being very limited opportunities for larger new release allotments. This demand can be met by the subdivision of the subject site. The subdivision of the subject site can be undertaken relatively quickly, in a similar timeframe to the Boundary Road subdivision. Overall, this will enable a variety of different sized new residential lots to be delivered at Medowie within a short to medium term timeframe.

The PSPS notes that dwelling supply forecasts assume that the forecast estimates of infill within existing urban areas will be achieved, which will allow the dwelling targets within Medowie to be achieved by 2036. However, these targets assume that the medium density development will be delivered in existing urban areas. The PSPS is now almost one-third through the expected timeframe of the strategy and very little land has been released within Medowie. Medium density and small-lot development has only been able to be provided within the Boundary Road subdivision, well removed from the existing urban centre.

The proposal will promote further demand upon the existing public transport services thus strengthening its viability, as encouraged by the PSPS. Moreover, the development of proposed pedestrian and cycle paths between the site and Medowie town centre will support existing urban areas as recommended within the document.

Being an unfragmented site under one ownership and of sufficient size, opportunities exist to develop an urban population necessary to support a number of the economic development strategies referred to in the Strategy. This includes accommodation for employment at the RAAF Base Williamtown, further expansion of the airport (passenger and freight) and Defence Aviation and Related Employment Zone (DAREZ), Raymond Terrace as the LGA's primary services centre and indirectly supporting the provision of essential infrastructure including adequate roads, public transport and broadband.

The proposal does not contradict the Rural Lands Strategy in that it avoids development in areas of conservation significance, limits expansion to those settlements that have the infrastructure capacity

and land capability to support growth; and, avoids loss of sustainable agricultural production. In doing so, the proposal will provide the necessary land under one ownership to commence achieving the strategic goal of supplying housing for the projected population increase.

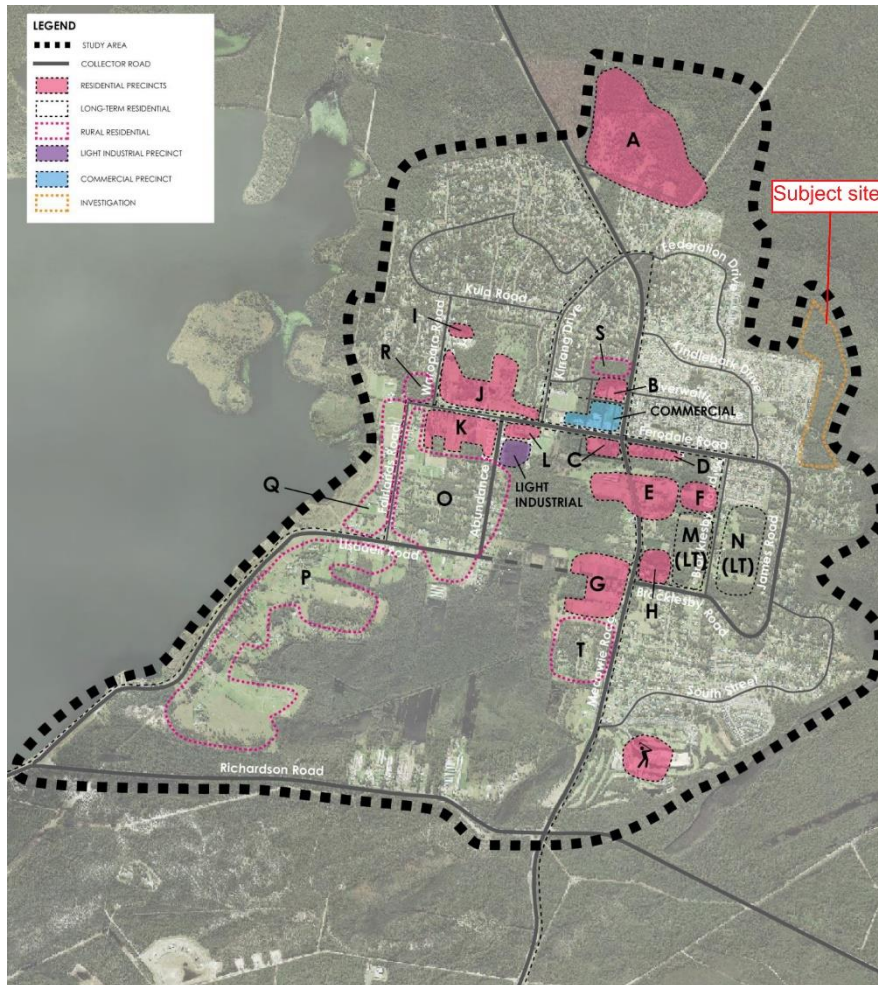
#### 4.1.5 Medowie Strategy 2009

The Medowie Strategy 2009 is a key guiding document for the future of urban development within Medowie. The Strategy establishes Statutory and Planning Context under which rezoning proposals are to be examined including Section 117 Directions of the *Environmental Planning and Assessment Act 1979*. The strategy acknowledges that planning proposals are “required to formally consider the rezoning of land and are a critical first step towards delivering residential release areas”. The Medowie Strategy was amended in December 2016

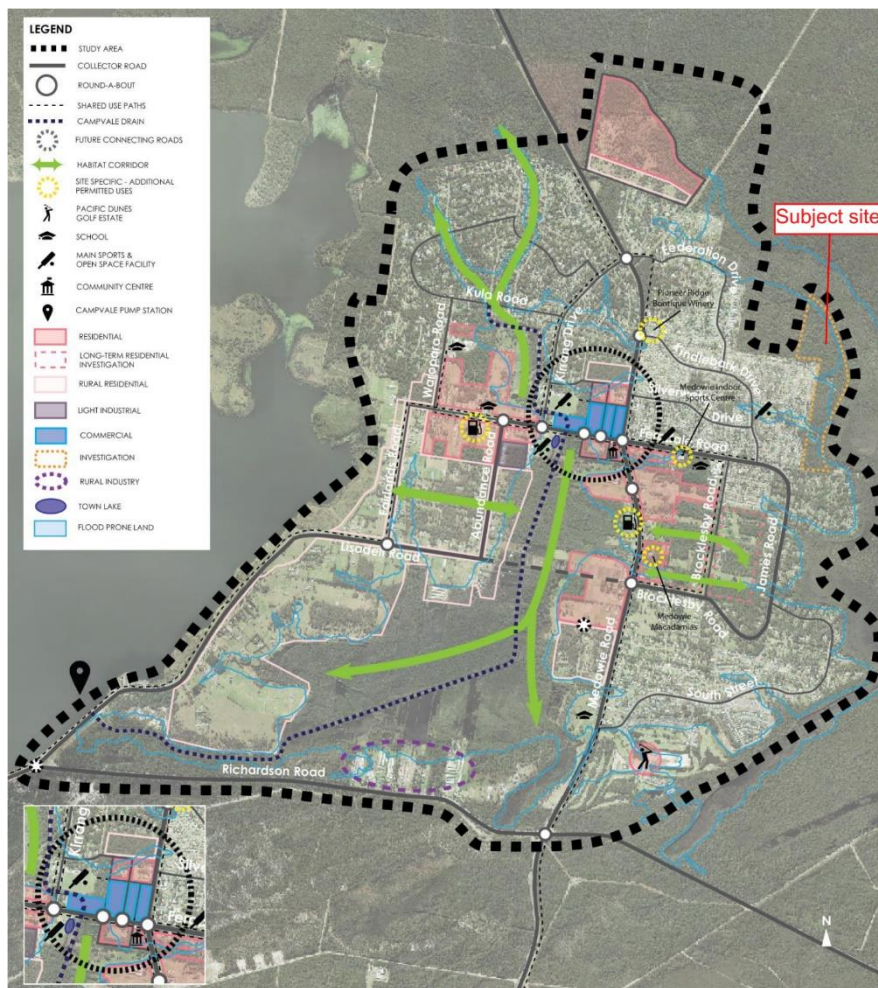
With respect to the specific requirements for planning proposals, the Medowie Strategy indicates that a “planning proposal should contain enough information to enable assessment of the merit of the proposal, and demonstrate that relevant environmental, social, economic, and other site specific matters have been identified, and if necessary, that any issues can be addressed with additional information and/or through consultation with State agencies and the community”. The current planning proposal application has clearly reached a point where it is consistent with this requirement.

The Medowie Strategy details various physical and statutory constraints to development including; government owned or affected land, flood prone land, ecological constraints, biodiversity corridors, koala habitat, conservation significance, aircraft noise, traffic loadings and road capacities. It identifies that land ownership in some parts of Medowie is very fragmented and/or comprising significant vegetation, presenting a main challenge to delivering urban growth. The planning proposal is not adversely constrained by the limitations referred to in the Strategy. Information has been provided to demonstrate that the proposed residential land, despite being vegetated, is not likely to result in unreasonable adverse ecological or environmental impacts.

The Medowie Strategy identifies land that is able to accommodate 2,400 new dwellings in residential release areas and an additional 180 in rural residential release areas. The images below depict those sites where new release land is envisioned by the strategy. The subject site is shown at the eastern end of the study area, and is indicated as being under investigation for residential use.



**Figure 5** –Medowie Strategy Map  
 Source: Medowie Strategy 2016



**Figure 6 –Medowie Planning Precincts**  
*Source: Medowie Strategy 2016*

The strategy identifies that approximately 12 dwellings per hectare are able to be accommodated within new urban release areas, this includes the land marked within residential release areas M and N on the Medowie Strategy Map. However, the Medowie Strategy indicates that this excludes vegetation. Furthermore, the Planning Precincts Map indicates that this land is expected to accommodate wildlife corridors. It is therefore unlikely that this yield will be able to be realised.

Aside from the subject site, there are limited opportunities to provide new release land that adjoins existing low density residential land. The site represents the only substantially sized single parcel of land located adjoining R2 zoned residential land, which is able to integrate into existing suburban development. Even those sites that are nominated in the plans above which adjoin R2 zoned land, are situated on opposite sides of sub-arterial roads.

Aside from the subject proposal, the only other planning proposal that has been realised on the land shown within the map above, was the area to the north of the Medowie Town centre, almost two kilometres from the nearest portion of the existing R2 zoned land.



As indicated under separate cover, the aforementioned Boundary Road site to the north represents a decidedly inferior urban release area than that included by the subject proposal. This land was not included within the original Medowie Strategy in March 2009, and it was only in June 2011 that the owner of the land initiated the actions that led to the inclusion of this land within the Medowie Strategy. The Gateway determination which was eventually granted, enabled the entire site to be zoned primarily as R2 land, with no R5 zoned land, despite the planning strategy originally nominating land within this site was for the purposes of R5 zoning, and the proponent originally seeking a combination of R2 and R5 zoning (aside from land to be used for conservation purposes).

The structure plan identifies seven distinct Neighbourhoods. The planning proposal immediately adjoins land located within the 500m pedestrian catchment of the area identified within the original Medowie Strategy as the Wirreanda Neighbourhood, with the majority of the site falling within the 750m zone of influence, which also includes Medowie Public School and the proposed secondary school site.

Neighbourhood parks and community gardens are strongly supported under the Medowie Strategy in order to attract a wider population demographic and support housing types not providing large open space elements. The planning proposal seeks to enhance existing public domain by extending open space corridors within the Kindlebark Estate through the site and incorporating active and passive recreational infrastructure. Additionally, an affordable housing precinct located within the southern section of the site will include the following elements;

- Proximity to public transport,
- Pedestrian access to the Medowie Town Centre via a shared pedestrian/cycleway,
- Community gardens, Landcare and bush management facility,
- Public domain infrastructure such as active and passive recreational facilities.

Benefits of community and public domain infrastructure include; additional food source, community engagement, job skills training for youth, small business enterprise such as organic food retail, nurseries, etc personal and social wellbeing through horticultural therapy, building and strengthening community relations, educational programs such as school groups and integrated use of urban space and resources.

The Strategy suggests that with respect to urban development capacity within the Wirreanda Neighbourhood, 353 standard residential lots, 173 villas and townhouses, 15 home enterprise lots, can be achieved. However, closer inspection of undeveloped land in the Neighbourhood indicates that is not the case. Drainage corridors, NSW Department of Education ownership and previously developed land comprise a large proportion of the area. However, this planning proposal which is located immediately adjacent to the Wirreanda Neighbourhood zone as illustrated in the Strategy, provides the opportunity to more closely achieve the Medowie Strategy goals including community use and parks and reserves.

Staging criteria used by Council to assess proposals fall under the three themes of strategic delivery, namely; strategy delivery, infrastructure delivery and market dynamics. The planning proposal responds to the various criteria as outlined within the attached documentation.

The Revised Medowie Strategy 2015 recently adopted by Council identifies the Planning Proposal in the Strategy Map as “Planning Proposal - under Assessment” and referred to as for investigation purposes. The proposal is consistent with five of the key principles of the Strategy as follows;

**Principle 1 - Urban development is underpinned by the provision of appropriate infrastructure**

The Planning Proposal represents an opportunity to maximise the use of existing infrastructure by virtue of its location being immediately adjacent to the East Medowie Kindlebark Estate. Public transport, sewer, water, power and telecoms are available and have capacity to service the residential development. Additionally, the increased revenue and patronage provided by new residents will support the upgrading of aging assets and increased services for public transport. The Hunter Water Preliminary Servicing Advice indicates that there is sufficient capacity in both the sewer and water trunk mains for the development. The development will provide funding for upgrading aging assets particularly with regard to the Medowie to Raymond Terrace rising main. Preliminary discussions with Hunter Valley Buses confirm services are currently available to the site and that current services to the area will be substantially increased and supported by the additional residents in the catchment.

The Urban Design Report identifies an opportunity for the proposal to link shared pedestrian cycle paths back to the commercial centre to form a destination loop. Similar paths in the Region generate greater community engagement and recreational and fitness opportunities which are lacking in Medowie.

**Principle 2 – The town centre is the focus for commercial activity**

The Planning Proposal will provide the additional population necessary to support a strong and vibrant town centre through greater patronage of facilities, public transport and diversification.

**Principle 3 - Rural residential character is balanced with urban development**

The proposal seeks to provide allotments of a predominately residential character, but which take advantage of the semi-rural location at the edge of the Medowie township. The proposal provides suburban development, required to meet the ambitious population targets for Medowie. The lack of available land for traditional housing supply in Medowie is evidenced in the substantial reduction in housing approvals.

**Principle 4 - Development will have a neutral or beneficial effect on water quality and no increase in flooding impacts**

Legacy stormwater infrastructure including two dilapidated stormwater management ponds on the site, as well as under-designed systems further upstream, will be replaced under the proposal with innovative water sensitive urban design principles incorporating low maintenance linear vegetated bio-swales as described in the Water Cycle Management Plan.

It has been identified that the impact of earthworks and construction of buildings would likely have a negligible impact on the broader flood level in Moffats Swamp, but that there may be some localised flood impacts at the southern portion of the site, with any potential management measures able to be investigated as part of the Gateway process.

### **Principle 5 - Key koala habitat and corridors are improved or and maintained**

A Koala Habitat Assessment was undertaken in accordance with SEPP 44 Koala Habitat Protection and Council's Comprehensive Koala Plan of Management, and has defined 22.22 hectares of Preferred Koala Habitat within the site. Detailed mapping and buffers have been recommended for compilation of the masterplan and proposed zoning boundaries. Maintenance of the koala habitat will only be achieved through biobanking and voluntary conservation agreements which the Planning Proposal will create.

The Flora and Fauna Assessment and Report accurately identifies the site conditions in accordance with the Port Stephens Comprehensive Koala Plan of Management (CKPoM) methodology and applies conservative buffers to proposed urban land uses. The Koala Habitat Assessment found no koala activity or presence on the site. If necessary, biodiversity offsetting specifically targeting koala habitat and feed trees, can be implemented in more critical areas of the Medowie region. This can be investigated more fully under the Gateway process and Frameworks for Biodiversity Assessment.

The site of the planning proposal is located on the western edge of the Watagans to Stockton Green Corridor (LHRS 2006) and adjoins the eastern boundary of existing urban development. The relative area of the proposed R2 Low Density Residential zoning to the forested region adjoining to the north, east and south of the Medowie is less than 0.1% of the total area to the east.

## **4.2 Site Specific Merit Test**

Planning Circular PS-16-004 indicates that a Rezoning Review must establish that the Planning Proposal demonstrates that the site contains specific merit when considered in relation to the following matters:

- The natural environment (including known significant environmental values, resources or hazards);
- The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal;
- The services and infrastructure that are or will be available to meet the demands arising from the proposed financial arrangements for infrastructure provision.

Each of the identified site specific merit tests are addressed in the following sections.

### **1. The natural environment (including known significant environmental values, resources or hazards)**

Information has been provided from the proponent to demonstrate that any environmental impacts are able to be mitigated and controlled so as to be relatively minor in nature. Council and OEH have expressed concern in relation to impacts to preferred koala habitat. However, the studies undertaken to inform the submitted flora and fauna report, reveal that no koala activity

was recorded at the site, and appropriate habitat buffers are able to be accounted for within the proposal.

The submitted Water Cycle Management Strategy has demonstrated that the site can be developed in a manner that would achieve a net-reduction in stormwater pollutant loads discharged to Moffats Swamp through the augmentation of existing treatment systems that are ineffective in capturing pollutants.

The proposal will provide for the remediation and transfer of 26ha of the site to public ownership for permanent protection of land containing MU 42 Riparian Melaleuca Swamp Woodland and MU 37 Swamp Mahogany – Paperbark Forest. Any lost vegetation is able to be offset under an 'improve and maintain' philosophy in accordance with OEH guidelines and agreements.

## **2. The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal**

As indicated earlier, the Medowie Strategy identifies that approximately 12 dwellings per hectare are able to be accommodated within new urban release areas, including land with limited development potential given the need to retain habitat corridors. Site-specific analysis of the habitat corridors within these sites has not been undertaken to determine if the site can accommodate the additional yield whilst being constrained through the location of existing habitat corridors.

It is therefore unlikely that this yield will be able to be realised. Information has been provided within this application which demonstrates that, despite the loss of some low value vegetation within the site, that the development is unlikely to generate any significant adverse impacts on wildlife corridors within the locality.

Aside from the subject site, there are limited opportunities to provide new release land that adjoins existing low density residential land. The site represents the only developable land that adjoins the existing R2 zoned land as part of the Medowie township, that is under single ownership, and that is readily able to be development in the near future.

The Medowie Strategy is now in its ninth year, and to date there has been limited interest on the pursuit of potential planning proposals identified within the strategy. It is unlikely that the dwelling targets within the Medowie Strategy will be able to be realised without enabling development outside of the recommended rezoned land within the Medowie Strategy. The approved rezoning at Boundary Road was also not originally included within the Medowie Strategy as being suitable for future residential development, and the subject site represents the most realistic land release opportunity within Medowie.

With regards to bushfire risk, Asset Protection Zones are able to be accommodated through the proposed indicative perimeter road, which will enable an increase to the distance between the surrounding bushland and nearby residential properties, which currently directly adjoin one another.



**3. The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision**

Any residential zoning of the site would be expected to provide extensions to existing infrastructure. It has been acknowledged by Council that the site is suitably located to accommodate an extension to the existing bus route and the Medowie Shared Path Network, and Hunter Water have indicated to the proponent that there is sufficient capacity within the water supply system, and within the waste water pump stations to accommodate the proposal. It is expected that roads, drainage and utilities will be provided in accordance with any future development consent. The traffic assessment demonstrates that the surrounding road network will be able to comfortably accommodate the additional traffic generation that may result from the rezoning of the subject land, and that environmental capacity limits will be satisfied. Furthermore, any future developer contributions paid as a consequence of the introduction of new dwellings will assist Council in providing additional facilities throughout the local community.

## 5.0 Response from Referral Bodies

Council's Strategic Planning Department has received advice from the OEH, as well as internal departments within Council. The owner of the property has provided individual responses to each of the issues under separate cover. However, an overview of the issues raised is provided within the following:

### 5.1 Office of Environment and Heritage

The matters raised by OEH can broadly be described as follows:

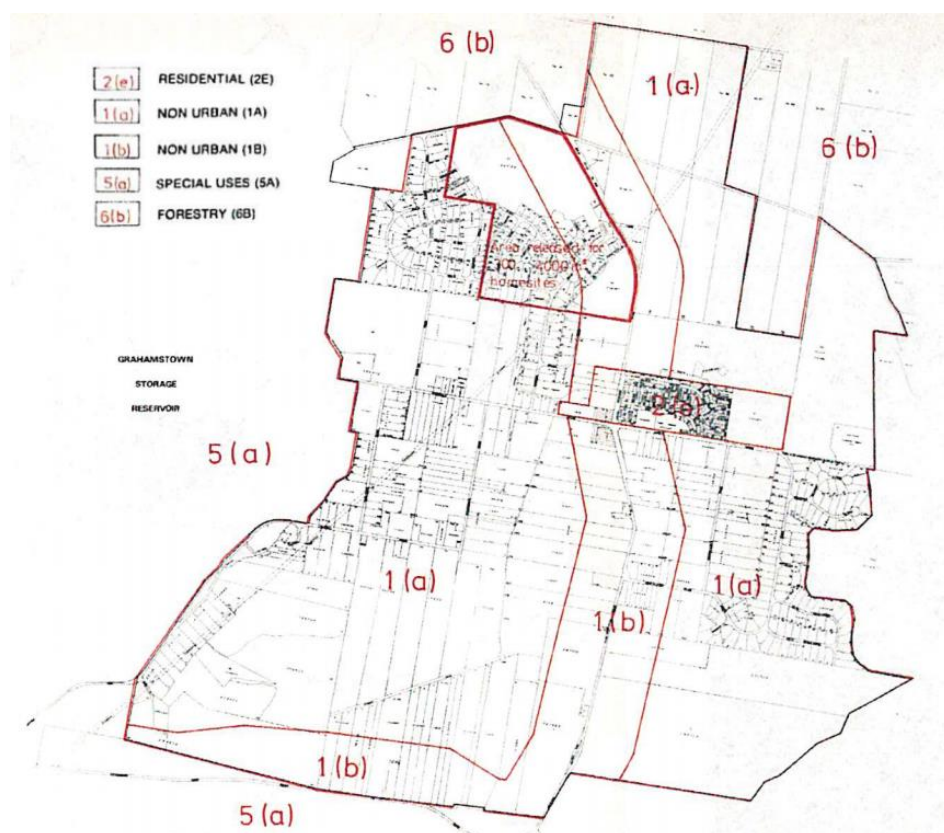
- Proximity to the Watagans to Stockton Green Corridor referred in the LHRS 2006.
- Other environmental matters particularly in relation to existing habitat and biodiversity.
- The site is not identified within the Medowie Strategy as containing potential for residential development.
- Significance of existing zoning and impacts on proposed transfer of land to management as a National Park.
- Increase to bushfire risk.
- Information contained within flooding report and in regards to aboriginal cultural heritage

The proponent has provided specific responses to these concerns within the documentation provided under separate cover. The response from OEH highlights that the above concerns primarily relate to the northern section of the subject land (i.e. to the north of the existing R2 Low Density Residential zone). The concerns that relate only to a given specific portion of the site are not sufficient to preclude progression towards the Gateway process. The response from OEH places unnecessary emphasis on the existing planning land use zoning and planning strategies, with little discussion on the objectives of the planning strategies. Furthermore the discussion provided on the specific merits of the proposal indicates that there is a misunderstanding of the information provided to support the rezoning application. As indicated above, these matters are explained in further detail under separate cover; and the following additional comments are also provided:

- The LHRS indicates that the subject site is located at the edge of the Watagans to Stockton Green Corridor referred in the LHRS 2006, and further information is provided within the Planning Proposal to demonstrate that this particular site is of little significance to the Watagans to Stockton Green Corridor. The Watagans to Stockton Green Corridor has been arbitrarily created based on existing urban boundaries, given the conservation benefits that are likely to be created by the retention of a continuous strip of native bushland. However, the Planning Proposal provides specific information on the appropriateness of the subject site for future development. It is not reasonable to prohibit rezoning at the junction of a regional town and a poorly-defined continuous strip of native vegetation on the basis of a generalised strategic planning outcome. It is noted that there may be some concerns in relation to "edge-creep"; however, the Planning Proposal provides information which enables this site to be considered on its merits, and the information provided demonstrates that the subject land – unlike other land within the Watagans to Stockton Green Corridor - is provided with the

appropriate attributes to accommodate further residential land. Furthermore the proposal seeks to dedicate the northeastern portion of the site as a National Park.

- The Medowie Strategy acknowledges that the subject site is under investigation for potential residential development. Council in preparing the draft amendments to the Medowie Strategy have acknowledged that there are particular elements of the subject site that would allow the site to accommodate residential development. OEH have stated that the proposal is inconsistent with the Medowie Strategy. However, the fact that the site is not currently shown as a potential candidate for rezoning is of limited relevance in this context, when substantial information has been submitted with the Planning Proposal to demonstrate the strategic merits of the proposal. Further discussion is provided below in relation to the comments from the Port Stephens Council Environmental Management Group.
- The subject site was previously zoned for rural purposes within Interim Development Order No. 23, as indicated within the image below:



The image above also indicates that the site adjoins the 6(b) Forestry land, which is equivalent to the land that currently lies within the E1 zone. As part of the *Port Stephens Local Environmental Plan 1987* (PSLEP1987), the land was rezoned to 7(C) - Rural Environmental Protection "C" – Water Catchment Areas, whereas much of the rural land surrounding Medowie remained zoned for rural purposes within the PSLEP1987. However, despite the new land use zoning being an administrative change intended to conform with terminology within the PSLEP1987, it is likely that this set the course for the current zoning of the land. The land remained in an environmental protection zone within the *Port Stephens Local Environmental Plan 2000*, and now is zoned E2 Environmental Conservation. It is likely that the removal of the site from its rural zoning, was the result of process which is far less comprehensive than the information that is provided with the Planning Proposal. The information provided within

this application indicates that there are parts of the subject site which are not appropriate to be included within the E2 zone, and that the environmental attributes of the site are similar to those found within the Boundary Road site. Should the proposed National Park land be deemed by the Minister for the Environment as inappropriate for preservation as a National Park, then alternative arrangements can be explored. However, no information has been provided to confirm whether this is the case. The specific criteria of the National Parks and Wildlife Service (e.g. deletion of boardwalks, etc) are easily able to be accommodated if required and are not cause for delay of the progression of this proposal.

- The concerns in regard to bushfire risk are unfounded, and the information provided within the referrals indicates that the indicative layout plan, and the associated benefits of the specific layout, have not been properly understood. Asset Protection Zones (APZs) are able to be accommodated through the proposed indicative perimeter road, which will enable an increase to the distance between the surrounding bushland and the nearest residential properties. Currently, the residential development at the eastern edge of Medowie, directly adjoins bushland contained within the subject site, and is provided with inadequate APZs. Through the provision of a perimeter road, the proposal would provide suitable APZs able to comply with RFS guidelines contained within *Planning for Bushfire Protection 2006*.

The Minister's delegate may direct that further studies be undertaken to ascertain whether there are specific areas within the portion of the site that should be retained for non-residential purposes. To date the information provided in the existing reports does not indicate that the proposal is unable to accommodate the development. Similarly, no information is available to indicate that there are any items of aboriginal heritage located on the site. Further studies can be undertaken either during the Gateway assessment or during the assessment of any future development applications. This approach has been consistently applied by Port Stephens Council and OEH.

Based on information that is currently available, it is likely that the majority of the northern portion of the site will be found to be suitable for residential zoning, and that the expansion of the R2 zone will provide for an appropriate strategic planning outcome. However, any variations in the boundaries between the proposed R2 and E1 zones, can be amended should studies further reveal that such an amendment is warranted.

## 5.2 Port Stephens Council Environmental Management Group

The majority of the matters raised are by the Port Stephens Council Environmental Management Group relate to similar issues put forward by the Office of Environment and Heritage, and these issues include:

- Concerns relating the existing zoning of the site, however it was acknowledged that the proposed E1 zoned land would largely preserve preferred habitats within the site.
- Concerns in relation to the potential removal of preferred koala habitat.
- Isolation of the Medowie State Forest land (similar to the concerns raised by the Office of Environment and Heritage in relation to the connectivity between the sites).
- Queries in relation to biobanking.

The proponent has provided specific responses to these concerns within the detailed response provided separately, with many of the issues overlapping with the issues raised by the Office of Environment and Heritage. With respect to biobanking, it should be noted that the proposed R2 zoned land does not contain any endangered ecological communities and that biobanking credits will largely be generated as a consequence of the rejuvenation of the land proposed to fall within the E1 zone.

The responses from the OEH and Council, in relation to koala habitat and potential impacts to biodiversity, suggests that there is an expectation that biobanking and offsets schemes must be arranged prior to proceeding for Gateway assessment. However, it is not necessary for biobanking and offsets schemes to be determined prior to Gateway assessment, or even prior to Gateway determination, and Council's recent approach to the managing of such matters is consistent with this position. A formal process of setting up a Biodiversity Stewardship site would be required to generate the credits. This will be investigated further during rezoning assessment following Gateway. Council, the OEH, and DPE have recently allowed for the biobanking scheme to be a prerequisite consideration for future development applications for subdivision with these requirements being specifically referred to in a DCP to be prepared for that purpose (see for instance PP\_2017\_PORTS\_004\_00).

The specific details that have been sought in relation to biobanking and offsets scheme are able to be deferred to be part of either the Gateway assessment, or are able to be incorporated into a future DCP. The insistence that further information be required in this regard at this early stage of assessment is not reasonable.

Similarly, the impacts on koala habitat and feed trees are able to be further considered once the matter has proceeded to Gateway determination, with potential compensatory planting able to be provided in appropriate locations. The submitted flora and fauna report has been informed by detailed habitat assessments, which were carried out in accordance with methodology described in the Port Stephens Council Comprehensive Koala Plan of Management (CKPoM).

The CKPoM has been prepared in accordance with State Environmental Planning Policy No. 44 - Koala Habitat Protection (SEPP 44). Schedule 2 of SEPP 44 aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range, and to reverse the current state trend of koala population decline. The Port Stephens Council CKPoM supersedes the requirements of SEPP 44 for the investigation of potential and core koala habitat within Port Stephens Council LGA.

The Flora and Fauna Assessment and Report accurately identifies the site conditions in accordance with the CKPoM methodology and applies conservative buffers to proposed urban land uses. If necessary, biodiversity offsetting specifically targeting koala habitat and feed trees, can be implemented in more critical areas of the Medowie region. This can be investigated more comprehensively under the Gateway process and Frameworks for Biodiversity Assessment.

The rezoning will result in development within habitat buffers and within a small area of preferred koala habitat, and will require removal of some koala feed trees. The flora and fauna report indicates that the habitat to be removed on site is not considered to be significant for the long-term survival of this species in the locality. Additionally, the following measures are to be implemented at the site:

- Suitable habitat buffers are to be retained for koala habitat.

- Appropriate koala feed trees such as *Eucalyptus robusta* and *Eucalyptus tereticornis* to be included in vegetation management corridors.

Similar recommendations were provided within the flora and fauna report prepared for PP\_2016\_PORTS\_008\_00, with the rezoning of this site now finalised. Key koala habitat was able to be maintained within this proposal through the retention of a small portion of environmentally zoned land.

### 5.3 Port Stephens Council Facilities and Services Group

The matters outlined by the Port Stephens Council Facilities and Services Group can be generally outlined as relating to traffic, flooding and environmental matters. The environmental matters are in line with those outlined within by the Port Stephens Council Environmental Management Group and the OEH.

With respect to traffic matters, it has been acknowledged by Council that the site is suitably located to accommodate an extension to the existing bus route and the Medowie Shared Path Network, however concerns have been raised about the specific road layout submitted with the Planning Proposal. It should be noted that the two stub roads off Coachwood Drive were created under the original Medowie East “Kindlebark Estate” Masterplan to facilitate development of the subject land. The specific road layout of the proposal should not prevent this matter proceeding to gateway, as the road layout will have limited impact on the suitability of the site to accommodate the proposed development. Any detailed refinements to the road layout are able to be accommodated within a future development application.

Council have indicated the junction of Medowie Road and Ferodale Street is approaching capacity and that upgrades may be required in order to support the planning proposal. The revised Medowie Strategy indicates that upgrades to both Medowie Road and Ferodale Road will be inevitable as consequence of an increased population. The intersection of these roads is currently characterised by a single-lane roundabout, and further works to increase its carrying capacity can easily be accommodated should future growth warrant such a change. The Traffic Impact Study which accompanies this Rezoning Review, indicates that the key intersections impacted on by the proposal, including Medowie Road and Ferodale Road, would be able to accommodate the traffic flows generated by a subdivision associated with this Planning Proposal.

However, given there have been limited instances of new release land within Medowie, it may be some time before such an upgrade is required. Moreover, it is questionable whether increased traffic impacts are able to be reasonably attributed to the current Planning Proposal, when the proposal enables the delivery of additional housing supply that may not otherwise be realised by the Medowie Strategy. Notwithstanding, it is envisaged that the Planning Proposal will provide funding for local and regional traffic upgrades as required, and further investigation of this intersection can be undertaken if required.

In relation to flooding, the Water Cycle Management Plan and subsequent Concept Masterplan have relied on the actual site contours, flood levels provided by Council, and catchment modelling, to define the development footprint, and the design aims to ensure that the majority of the proposed

residential land sits above the flood planning level, with minor incursions into the flood planning level able to be accommodated through changes to ground levels.

In response to the comments provided by Council, further clarification was provided by BMT WBM Pty Ltd, in order to consider the proposed zoning layout in relation to identified peak flood levels and flood behaviour at the site for the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) design events. BMT WBM Pty Ltd have identified that only the outer edges of the proposed residential zones will lie below the flood planning level, and this is illustrated within the diagrams that are provided.

Road works and site grading typically associated with residential development will resolve the majority of the minor incursions illustrated in the supplied diagrams and BMT WBM Pty Ltd have identified that the impact of earthworks and construction of buildings would likely have a negligible impact on the broader flood level in Moffats Swamp.

However, regarding the smaller southern portion of the site, the report identifies that the consideration of local catchment influences will be required to determine appropriate levels for the proposed road crossings and R2 zones, and to consider any localised flood impacts. Further consideration would be able to be undertaken as part of the Gateway process.



## 6.0 Conclusion

Medowie has been identified as being suitably located to accommodate significant increases in population and density. The planning strategies in place encourage the preparation of Planning Proposal to enable amendments to the *Port Stephens Local Environmental Plan 2013*, to facilitate this growth.

The Planning Proposal submitted in December 2014, in relation to land at 98 Coachwood Drive, Medowie, seeks various amendments to the *Port Stephens Local Environmental Plan 2013* (PSLEP 2013) in order to enable residential subdivision within the subject land. The proposal would allow for the prompt delivery of new release land that can integrate into the existing Medowie township. The site is not unduly constrained by limitations that would preclude the proposed amendments, and information has been provided to demonstrate that any impacts are able to be appropriately managed.

The site represents a unique opportunity to provide suitably located new release housing development land, which would be able to be developed in a relatively short timeframe and assist in meeting the targets for new release development within the Port Stephens LGA. The site represents the only suitably sized, unfragmented land under one ownership that adjoins existing low density residential development, and that is able to be integrated with existing services.

Given the age of the Planning Proposal application, and that Council has not yet identified any particular reasons why the application is unable to progress to the Gateway process, it is considered that the Joint Regional Planning Panel should recommend that the Planning Proposal is suitable for Gateway progression.