

# MEETING NOTES



## Meeting

Date: 3 April 2019 12:00 pm

Purpose of Meeting: Planning Proposal – 127 High Street, Wallalong

## Attendance

Matthew Borsato  
(PSC Snr. Strategic Planner)

Bryn Cotterill  
(PSC Snr. Development Engineer)

Natalie Nowlan  
(PSC Snr Environmental Planner)

Gemma Wallace  
(PSC Strategic Planner Work  
Exp.)

Matthew Brown  
(Perception Planning Director)

Jeffrey Bretag  
(Perception Planning Principal  
Planner)

Mr John Woods  
(Landowner)

Mrs Chris Woods  
(Landowner)

Item	
The site and concept	<p>Site zoning and area: RU1 Primary Production and 10 hectares (approximate).</p> <p>The land cannot be subdivision for residential purposes under the current provisions of the Port Stephens Local Environmental plan (PSLEP 2013).</p> <p>The site is located on the norther side of the rural town/village of Wallalong, on the western side of High Street. It comprises primarily of cleared land and pasture with some scattered mature trees and a single dwelling. The site primarily slopes towards the north east boundary of the site.</p> <p>The site immediately adjoins land zoned R2 Low Density Residential. Existing allotments in Wallalong within the R2 Zone are larger than a typical urban zone for various reasons, including historical lot layout and the lack of sewer services in the area (i.e. on-site is typically required). There is rural residential development at the south along Morpeth Views (R2 Zone) and along Clarence Street (RU1 Primary Production). The large rural residential estate “Rosebank” is on the opposite, eastern side, of High Street (R5 Large Lot Residential Zone).</p> <p>The Proponent discussed the merits of a potential amendment to the <i>Port Stephens Local Environmental Plan 2013</i> (PSLEP 2013) to permit rural residential subdivision of the land and maintain the ability to deliver urban development at some time in the future.</p> <p>Prior to the meeting the Proponent provided a copy of Planning Advice - 127 High Street Wallalong dated 5 March 2019 (copy attached). The advice includes consideration of three options:</p> <ol style="list-style-type: none"> <li>1.Development Application for Seniors Living (under the existing zoning using the relevant SEPP)</li> <li>2.Planning Proposal for urban development (rezone to R2 Low Density Residential &amp; 500m2 min. lot size)</li> <li>3.Planning Proposal for rural residential development (rezone to R5 large Lot Residential &amp; 4,000m2 min. lot size)</li> </ol> <p>The advice from Perception Planning recommends consideration of Option 3 Planning Proposal for rural residential development. The advice includes a layout that aims to accommodate potential future urban development. Noting this, the range of options, and the merits of each, were openly discussed at the meeting.</p>

Item		
Previous Proposal	Planning	<p>The Wallalong Landowners Group submitted a planning proposal (rezoning request) seeking primarily urban zoning consistent with the PSPS in 2013. It included 127 High Street Wallalong.</p> <p>Council resolved to support the planning proposal (subject to conditions) and seek a strategic gateway determination on the planning proposal from the NSW Department of Planning and Environment (the Department) on 10 December 2013.</p> <p>The planning proposal was refused by the Department at gateway determination stage on 11 June 2014.</p> <p>A copy of the planning proposal, Council report and gateway determination etc. are available from the Department's website (PP_2014_PORTS_001_00).</p>
Strategic Plans		<p><u>Hunter Regional Plan 2036</u></p> <p>Wallalong is not identified in the HRP for investigation.</p> <p>(Note: Wallalong was not identified in the previous Lower Hunter Regional Strategy for investigation).</p> <p><u>Greater Newcastle Metropolitan Plan 2036</u></p> <p>Wallalong is not identified in the GNMP for investigation.</p> <p>Wallalong is within the boundary of the Metro Frame.</p> <p><u>Port Stephens Planning Strategy 2011</u></p> <p>Council resolved on 25 August 2009 to include Wallalong in the PSPS as a new town. It identified as a Potential Urban Release Area in the PSPS subject to the resolution of infrastructure delivery for residential zoned land (greenfield) potential 3,200 dwellings (1,200 dwellings to 2036) (approximate).</p> <p><u>General</u></p> <p>MB (PSC) noted that there has been various concepts and proposals identifying and considering Wallalong as an area for potential investigation for development in some form.</p>

Item	
<p>Latest advice from the Department on the potential investigations for Wallalong</p>	<p>The proponent requested discussion of latest advice from the Department regarding planning at Wallalong.</p> <p>Council wrote to the Department in March 2017 seeking the Department's advice regarding the scope for future investigations into Wallalong's potential as an urban release area.</p> <p>Department relevantly advised Council in May 2017:</p> <ul style="list-style-type: none"> <li>• The Hunter Regional Plan 2036 was released in late 2016 and it will guide the NSW Government's land use planning priorities and decisions over the next 20 years. It also provides the overarching framework for the preparation of local land use strategies, development proposals and infrastructure funding decisions in our region.</li> <li>• The Plan identifies areas where settlement growth should occur over the short to medium term, and encourages councils to identify new medium and long term development opportunities through their local planning strategies. While Wallalong is not identified as a growth area in the Plan, it is appropriate that Council consider its development potential through Council's land use strategy review process.</li> <li>• The land use strategy review should adopt a long-term view and consider supply and demand in both the local and regional context. It should establish a regular monitoring process whereby supply levels and development feasibility inform decisions to rezone land for housing and employment.</li> <li>• For areas such as Wallalong, which do not have established services and infrastructure, consideration needs to be given to the costs and timing associated with infrastructure provision. This should be done in consultation with the relevant agencies, infrastructure providers and Maitland City Council, and the use of a cost-benefit type analysis may be useful in understanding the implications of service and infrastructure provision.</li> <li>• The land use constraints associated with a site should also be considered at the strategic level. Depending on study area characteristics, more detailed investigation and agency consultation may be appropriate. In the Wallalong context, issues such as traffic, flood isolation, cultural heritage landscapes and agricultural land value may require more detailed examination before Council could establish the development potential of the land.</li> <li>• As with any strategic planning review process, the Department encourages Council to engage the local community at an early stage and throughout. This is particularly relevant for Wallalong due to the high level of interest that the community has shown previously in development proposals for the village.</li> </ul>

Item	
<p><u>Port Stephens Rural Residential Policy</u></p>	<p>Council adopted a policy for the consideration of rural residential development in 2018.</p> <p>A submission was received from planning consultants ADW Johnson seeking to establish the merits of a revised development concept for Wallalong (including 127 High Street) with a reduced urban component and a greater rural residential component.</p> <p>Advice at today's meeting is land at Wallalong is currently subject to the exclusionary criteria for consideration of rural residential development under the PSRRP. The reason is the land is within a potential future urban investigation area identified by Council (under the PSPS). M Borsato also noted that rural residential development leads to the fragmentation of the land and is a main obstacle to the potential future delivery of urban release areas.</p> <p>The HRP and GNMP are more open to the consideration of rural residential development. Strategy 18 of the GNMP is to Deliver well-planned rural residential housing areas. Action 18 identifies some requirements for consideration including reference to rural residential housing being as part of an endorsed local housing strategy.</p> <p>Council is currently in the initial stages of reviewing its strategic plan for the LGA. A significant component of this is the preparation of a Local Housing Strategy.</p> <p>In relation to rural residential development, the Council's PSRRP is a local policy (only) and is effectively an interim position to consider sites, prior to the preparation of a local housing strategy of a Local Housing Strategy for the LGA.</p>
<p>Port Stephens Local Housing Strategy</p>	<p>The PSLHS is currently at the initial drafting/preparation stage. It will be subject to the usual strategic planning process including reporting, consultation with agencies and the community, with the view to seeking endorsement from the Department. The proponent may consider the option of a submission to the PSLHS at the relevant time, estimated to be later in 2019.</p>

Item	
Potential Proposal	<p data-bbox="486 169 2148 240">Planning If a planning proposal seeking rezoning were to be lodged, the level of information provided at lodgement should be sufficient enough, and proportionate to, the complexity of the proposed amendment.</p> <p data-bbox="486 260 2148 403">It 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.</p> <p data-bbox="486 422 1375 459">Requirements for lodging a planning proposal with Council are:</p> <ul data-bbox="533 478 2148 1177" style="list-style-type: none"> <li data-bbox="533 478 2148 550">• A main planning proposal document prepared in accordance with the format of the Department's <i>a guide to preparing planning proposals</i>.</li> <li data-bbox="533 569 2148 754">• Consideration of applicable State Environmental Planning Policies, and Local Planning Directions issued by the Minister under section 9.1 <i>Directions by the Minister</i> of the EP &amp; Act 1979 (NSW). The key Directions to consider are (and not limited to) 1.2 Rural Zones; 1.5 Rural Lands; 3.1 residential Zones; 3.4 Integrating Transport and Land Use; 1.3 Flood prone Land (address if flood isolation is relevant); and 5.10 Implementation of Regional Plans.</li> <li data-bbox="533 774 2148 882">• A key matter to consider in planning proposal is the strategic planning justification for rural residential development at Wallalong and consistency with local and state plans and policies, and the consideration of different options and why proceeding at this time is a good strategic planning outcome.</li> <li data-bbox="533 901 2148 1045">• 'Baseline' flora and fauna report (including site survey; determination of the likelihood of any critical habitat or threatened species etc., populations or ecological communities, or their habitats; assessment against the Port Stephens Comprehensive Koala Plan of Management; indication of any potential offsetting requirements; related consideration of any bushfire protection requirements/APZs).</li> <li data-bbox="533 1064 2148 1177">• Preliminary consideration of or concept level reports on: traffic and transport (site and strategic); flooding and stormwater management; Aboriginal heritage, infrastructure servicing (or suitability for onsite disposal is relevant).</li> </ul> <p data-bbox="486 1197 2148 1305">Preliminary or concept level reports need to demonstrate relevant issues can be satisfactorily resolved if a planning proposal proceeds. Further information may be required after initial review by Council and further as part of any conditional Gateway Determination.</p>

Item	
Options	<p>At the meeting the range of options were discussed, and the merits of each.</p> <p><u>Planning Proposal for Rezoning (rural residential or urban)</u></p> <p>Advice was that seeking rezoning for rural residential development (or urban development) has substantial challenges and raises the same issues already identified from previous proposals for Wallalong, and strong justification with the current strategic planning framework is also required with any planning proposal.</p> <p><u>Seniors Living</u></p> <p>Following discussion at the meeting the various options were discussed. At the meeting it was noted that further exploring the option of Seniors Living under the relevant SEPP may have good merit or be achievable, and that this avoids the need to consider a rezoning of the land. A site compatibility certificate is required from the Department.</p> <p><u>Submission to the Local Housing Strategy</u></p> <p>The proponent may consider the option of a submission to the PSLHS at the relevant time, estimated to be later in 2019.</p>
Fees	<p>It is estimated that planning proposal Category B fees will apply for a planning proposal:</p> <ul style="list-style-type: none"> <li>• Stage 1 Lodgement (up to gateway) \$11,200</li> <li>• Stage 2 Post Gateway (exhibition) \$22,400</li> <li>• Stage 3 Gazettal \$5,600</li> </ul> <p>Fees are as prescribed in the Council's <i>Fees and Charges Schedule</i> in force at the time and are available from Council's website. A formal fee quote can be provided to you on request and payment of Stage 1 is required at lodgement.</p> <p>Payment in accordance with the quote is required to lodge any planning proposal with Council.</p>