

Planning Proposal

Amendment to Lake Macquarie Local Environmental Plan 2004

F3 Freeway Service Centre

Local Government Area: Lake Macquarie

Name of Draft LEP: Lake Macquarie Local Environmental Plan 2004 (Amendment No X)

Part 1 – Objective of the Planning Proposal

The objective of the Planning Proposal is to amend *Lake Macquarie Local Environmental Plan 2004* (LMLEP 2004) to enable the establishment of a service centre on land either side of the F3 Freeway being part of Lot 210 DP 702166 and Lot 211 DP 702166 (see Figure 1, 2, & 3). It is proposed that each service centre will include a 24-hour service station, fast food outlets, a cafe, a motel, visitor information/tourist office, as well as car and truck parking facilities. There is no single zone in LMLEP 2004 that would facilitate all of the proposed uses. The proponent has put forward a preference for the 4(3) Industrial (Urban Services) Zone to be applied to the subject land with a clause to enable additional uses, however, it would be preferred that the land be rezoned to 5 Infrastructure Zone. The 5 Infrastructure Zone would also require an additional clause within the LEP to permit each of the proposed uses on the subject land.

It is believed that the 5 Infrastructure Zone is the most appropriate due to the proposed development being supportive to the role and function of the Freeway in providing transport within and through the region. The 5 Infrastructure Zone will convert to SP2 Infrastructure under the Standard LEP Instrument, however, an additional clause would remain necessary to permit each of the proposed uses on the subject land. Although a clause to permit additional uses could be applied to any zone, including the existing 1(1) Rural (Production) Zone, it is considered important to implement relevant zone objectives to the subject land.

Building height controls will be transferred from the DCP to the LEP during the implementation of the Standard LEP Instrument. It is likely that the proposed development will be assessed under the new Citywide LEP being prepared in accordance with the Standard Instrument. Consideration will need to be given to appropriate building heights to ensure that the envisaged scale of development can be realised on the subject land when assessed under the new Citywide LEP.

It is proposed that the riparian corridor and associated vegetation on Lot 210 DP 702166 will remain within the 7(2) Conservation (Secondary) Zone. Riparian corridors that are not currently zoned for conservation may have a conservation zone applied, however, this is dependent on the outcome of further investigations.

Land to the west of the existing conservation corridor on Lot 210 DP 702166 will remain within the 1(1) Rural (Production) Zone (see Figure 4). The proponent has indicated a desire to subdivide the remaining rural land from the land to be used as a service centre. This could be undertaken either by application under *State Environmental Planning Policy 1 – Development Standards* (SEPP 1), or by inserting an additional clause within LMLEP 2004, which would provide more certainty to the proponent.

Minimum lot size controls will be transferred from a schedule to a map layer under the new Citywide LEP being prepared in accordance with the Standard instrument. This could facilitate site specific Minimum Lot Size provisions for the subject land to enable the proposed subdivision without the need for an enabling clause.

Part 2 – Explanation of the Provisions

The amendment proposes the following changes to the LMLEP 2004 map and instrument:

Amendment Applies To	Explanation of the Provision
Map	<p>It is proposed that the subject land, comprising part of Lot 210 DP 702166 and all of Lot 211 DP 702166, will be rezoned from 1(1) Rural (Production) Zone to 5 Infrastructure Zone. The part of Lot 210 currently zoned 7(2) Conservation (Secondary) Zone will remain in that zone, while the remaining land within Lot 210 to the west of the conservation corridor will remain in 1(1) Rural (Production) Zone. A conservation zone may be applied to riparian corridors that are currently not zoned for conservation purposes, however, this is dependent on the outcome of further investigations.</p>
Schedule 7 Additional development allowed on certain land	<p>The part of Lot 210 DP 702166 proposed to be rezoned to 5 Infrastructure Zone, and all of Lot 211 DP 702166, will need to be listed under Column 1 of Schedule 7, with Column 2 identifying the additional uses to be permitted to support the establishment of the service centre.</p> <p>The 5 Infrastructure Zone currently permits car parking facilities, motel accommodation, restaurants (including cafes and predominantly sit-down fast food), and community facilities (which would support visitor information/tourist office) however, additional provisions are necessary to enable additional uses including shop (which would support predominantly drive-through fast food outlets), and service stations.</p> <p>An additional clause could also be inserted to permit the subdivision of the remaining rural land from the service centre component of Lot 210 DP 702166, or this could be facilitated through an amendment to Schedule 2 Subdivision standards.</p>
Schedule 2 Subdivision standards	<p>An additional clause could be inserted to permit the subdivision of the remaining rural land from the land intended to become a service centre on Lot 210 DP 702166. It is possible that this could be addressed by application of SEPP 1 to enable the subdivision to occur, however, more certainty would be provided to the proponent if a clause was inserted into either Schedule 2 or Schedule 7 of LMLEP 2004.</p>
Standard Instrument – Minimum Lot Size Map	<p>In transferring minimum lot size provisions to a map under the new Citywide LEP, consideration should be given to enabling the proposed subdivision of the remaining rural land from the service centre site via the Minimum Lot Size Map.</p>
Standard Instrument – Building Height Map	<p>In transferring building height controls to the new Citywide LEP in accordance with the Standard Instrument, appropriate building heights will need to be determined for the subject land to ensure that subsequent development is appropriate for the location.</p>

Part 3 – Justification for the Provisions

A. Need for the planning proposal

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

This Planning Proposal is not the result of a strategic study or report. The proposal has been put forward by the landowner and agreed to by Council. The subject land meets the requirements of the Roads and Traffic Authority (RTA) in terms of distance from another

service centre, and the land has been disturbed by previous land uses providing a suitable location for the proposal. The development will provide employment opportunities to the local community and support the ongoing role of the F3 Freeway as the primary transport corridor in the region.

Some investigations have been undertaken by the proponent to support the proposal, however, further studies are considered necessary to progress the proposal. Studies previously undertaken include:

- Traffic and Utility Services Report
- Economic Report
- Retail Analysis Report
- Flora and Fauna Report
- Bushfire Report

Additional studies that are considered necessary to confirm that the proposal should progress include:

- Aboriginal Heritage Impact Assessment
- Social Impact Assessment
- Land Contamination and Geotechnical Assessment
- Flooding/Hydrology Assessment
- Scenic Quality/Visual Impact Assessment
- Noise and Vibration Assessment
- Others as determined by the Gateway assessment

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

In order to enable the proposed development an amendment to LMLEP 2004 is necessary. The amendment will ensure that the proposed development and its various uses are permitted on the subject land with development consent. There is no single zone within LMLEP 2004 that would permit each of the proposed uses. It is proposed that rezoning the land will apply more relevant zone objectives to the land, while an amendment to Schedule 7 will support the uses proposed for the land.

It is proposed that the remaining rural land will be subdivided from the land to be used for the service centre. This could be facilitated by making additional amendments to Schedule 7 – Additional development allowed on certain land, amending Schedule 2 – Subdivision standards, or assessing an application under State Environmental Planning Policy 1 – Development Standards (SEPP 1).

The following LEP Pro-forma Evaluation Criteria demonstrates consistency with State Government policy direction and provides justification for the progression of the proposal.

LEP Pro-forma Evaluation Criteria Category 1: Spot Rezoning LEP

1.	Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800m of a transit node)?	The proposal is effectively development that is ancillary to the F3 Freeway, and is not of a scale that warrants specific identification within the Lower Hunter Regional Strategy. The proposal will support increased use of the Freeway as growth occurs in the region.
2.	Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	Some environmental investigations have been undertaken and submitted to Council, however, further studies will be necessary to support the proposal. Assessment of the proposal against State Environmental Planning Policies and Ministerial Directions has determined that the proposal is generally consistent with these policies. Where inconsistencies occur, they are believed to be justified, however, concurrence will be obtained from the Director-General in this regard.
3.	Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?	The proposal is ancillary to the F3 Freeway, which is identified within the LHRS as the primary transport corridor within the region. The proposal will contribute to the ongoing function of the Freeway as growth occurs in the region.
4.	Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The development that is intended to follow the LEP amendment will generate permanent employment opportunities for the local community. The proponent has determined that the number of jobs generated by the development will be 472 construction jobs, 99 on-going jobs, and 183 jobs through a multiplier effect.
5.	Will the LEP be compatible/complementary with surrounding land uses?	<p>The proposal is complementary to the function of the F3 Freeway, and will support increasing use of the Freeway as growth occurs in the region.</p> <p>There are options available for the proposal to be either integrated with the local road network and community, or for the development to remain separated. This will be considered further upon assessment of a development application for the proposed development.</p>
6.	Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	It is considered unlikely that the proposal will set a precedent or alter the expectation of landholders. The proposal is a one-off proposal that is intended to support the function of the Freeway and is not likely to influence development expectations on adjoining land. State Government policy also requires 24km between service centres along the highway, which will mitigate similar proposals in the locality.

7.	Will the LEP deal with a deferred matter in an existing LEP?	The proposal does not deal with a deferred matter.
8.	Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The proposal has not been influenced by other rezoning proposals, and is not likely to result in additional spot rezoning proposals in the locality. As such, the proposal is not part of a cumulative rezoning process. The proposal is a one-off to provide additional supporting development for the function of the Freeway.

3. Is there a net community benefit?

Given the additional employment opportunities offered by the proposed development and the minimal environmental impact likely to result, the proposal is considered to provide a net community benefit. A Net Community Benefit Test has been undertaken and provided below. A Social Impact Assessment is recommended to determine social impacts in detail.

Net Community Benefit Test

Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800 metres of a transit node)?	The proposal is effectively development that is ancillary to the F3 Freeway, and is not of a scale that warrants specific identification within the Lower Hunter Regional Strategy. The proposal will support increased use of the Freeway as growth occurs in the region.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The proposal is ancillary to the F3 Freeway, which is identified within the LHRS as the primary transport corridor within the region. The proposal will support increased use of the Freeway as growth occurs in the region.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	It is not likely that the proposal will set a precedent or alter the expectation of landholders. The proposal is a one-off proposal that is intended to support the function of the Freeway and is not likely to influence development expectations on adjoining land. State Government policy also requires 24km between service centres along the highway, which will mitigate similar proposals in the locality.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The proposal has not been influenced by other rezonings, and is not likely to result in additional spot rezonings in the locality. As such, the proposal is not part of a cumulative rezoning process. The proposal is a one-off to provide additional supporting development for the function of the Freeway.
Will the LEP facilitate a permanent	The development that is intended to follow the

<p>employment generating activity or result in a loss of employment lands?</p>	<p>LEP amendment will generate permanent employment opportunities for the local community. The proponent has established that the number of jobs generated by the development will be 472 construction jobs, 99 on-going jobs, and 183 jobs through the multiplier effect.</p>
<p>Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?</p>	<p>The proposal will not have an impact on the supply of residential land.</p>
<p>Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?</p>	<p>The proponent has undertaken some preliminary consultation, and has determined that some upgrading of infrastructure will be necessary to support the proposed development. Additional consultation will be necessary with service authorities to determine the full extent of infrastructure upgrades that would be required for development of the subject land as proposed.</p>
<p>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</p>	<p>The proposal will support increased traffic volumes on the freeway as growth occurs in the region. The proposal is responding to growth rather than being a catalyst for additional vehicle use. As such, the affect of the proposal in this regard is likely to be negligible.</p>
<p>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?</p>	<p>The F3 Freeway is a significant transport corridor, which forms part of the national Highway. The proposal is intended to support increasing use of the Freeway due to growth in the region. As such, the proposal is likely to support the ongoing function of the Freeway.</p>
<p>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</p>	<p>Preliminary investigations of the site have determined that the site is suitable to support the proposed development, however, further studies will be necessary to confirm site suitability and siting of the development.</p> <p>An identified riparian and conservation corridor on the site will be maintained within a conservation land use zone, and will not be affected by the LEP amendment. Subsequent development on the site, and its environmental impact, will be assessed upon submission of a development application.</p>
<p>Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain</p>	<p>The proposal is complementary to the function of the F3 Freeway, and will support increasing use of the Freeway as growth occurs in the region. Subsequent development on the site is</p>

improve?	likely to be typical of a highway service centre. There are options available for the proposal to be either integrated with the local road network and community, or for the development to remain separated. This, and the design of subsequent development on the subject land, will be considered further upon assessment of a development application for the proposed development.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposal will support a second service centre along the F3 Freeway, which will provide additional competition to the Warnervale service centre.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The proposal is a one-off stand-alone proposal, and is not likely to develop into a centre in the future.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The proposal will provide an additional service centre along the F3 Freeway, which will support increasing traffic volumes as growth in the region occurs and will generate additional jobs for the local community.

B. Relationship to strategic planning framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposal will play a minor role in supporting the increasing use of the Freeway as growth in the region occurs. The Lower Hunter Regional Strategy (LHRS) indicates an expected population growth of 160,000 people, translating to an anticipated demand for 66,000 jobs by 2031. It is likely that the F3 Freeway will remain as the primary transport route, linking the region to Sydney and providing a thoroughfare for the north coast. The proposal will support the ongoing role of the Freeway in providing efficient transportation within and through the region, including supporting the development of the identified future freight hub and employment lands.

2. Is the planning proposal consistent with the local council's Community Strategic plan, or other local strategic plan?

The following assessment of the proposal has been undertaken against the Strategic Directions of Council's Lifestyle 2020 Strategy:

A City Responsive to its Environment

The subject land is almost entirely clear of vegetation, and the proponent will be required to meet the State Government's 'improve or maintain' policy in terms of biodiversity value on the land. The proponent has indicated that this will be achieved through rehabilitation of the riparian corridor, which will remain within a conservation zone.

The subject land is capable of supporting Asset Protection Zones without significantly affecting existing vegetation, and the land has not been identified as being flood prone or affected by acid sulphate soils.

The proposal provides further support to an existing major transport corridor. It is believed that the proposal is appropriate to support increased freeway traffic, as growth continues in the region.

Design measures will need to be implemented to mitigate environmental impacts resulting from the development. These will be assessed following the LEP amendment. The subject land is capable of supporting the proposed development without significant environmental impacts provided the appropriate mitigation measures are implemented. The subsequent development resulting from the LEP amendment will be assessed on its merits upon submission of a development application.

A Well Serviced and Equitable City

The development of the land for the proposed use will provide additional employment opportunities in the local area, while providing services to people travelling through the local government area. The proposal is a stand-alone development that is not related to the establishment of town centres or connectivity within neighbourhoods, and it is intended that the proposed development will be accessible only from the Freeway (although this will be assessed upon receiving a development application for the proposed development).

A Well Designed and Liveable City

The condition of the subject land, being under utilised rural land that is almost entirely clear of vegetation, is appropriate for the proposed use of the land. The specific design and siting of the development proposed will be considered upon receiving a development application.

A City of Progress and Prosperity

The Freeway is the primary transport corridor in the region and an increased traffic volume is expected as regional growth continues. The proposal will contribute to the ongoing function of the Freeway as the primary transport corridor, which will provide support for other investment in the region. The proposal will also lead to employment opportunities directly by providing jobs to the local community.

An Easily Accessible City

It is important to ensure that appropriate services are available to traffic using the Freeway, and to ensure its ongoing efficiency as the primary transport corridor in the region. The proposal will provide for the needs of freeway users, and provide a benefit to Lake Macquarie City's economy by capturing some custom from Freeway users that would otherwise occur at the service centres located at Warnervale or Beresfield.

3. Is the planning proposal consistent with applicable state environmental planning policies?

An assessment has been undertaken to determine the level of consistency the proposal has with relevant State Environmental Planning Policies (SEPPs). The assessment is provided below.

SEPPs	Relevance	Implications
SEPP 33 – Hazardous and Offensive Development	The SEPP aims to ensure that a consent authority is adequately informed and has sufficient information to effectively assess an application for development, and to minimise adverse impacts associated with the	The SEPP will need to be considered upon submission of a subsequent application for development. Further investigations will be necessary to support development of the site in this regard, however,

SEPPs	Relevance	Implications
	development.	these are not considered necessary for the Planning Proposal to proceed.
SEPP 44 – Koala Habitat Protection	The SEPP aims to provide proper conservation and management of Koala habitat by requiring the identification, conservation, and management of actual and potential Koala habitat.	A detailed flora and fauna investigation of the site determined that the subject land does not contain actual or potential Koala habitat.
SEPP 55 – Remediation of Land	The SEPP requires the subject land to be suitable for its intended use in terms of the level of contamination, or where the land is unsuitable due to the level of contamination, remediation measures are required to ensure that the subject land is suitable for its intended use.	Further investigations will be necessary to determine whether the subject land contains contaminants. Where contaminants are identified, remediation will be required in accordance with State Government guidelines and regulations prior to development occurring. At the development application stage, details will also be required regarding contamination prevention measures.
SEPP 64 – Advertising and Signage	The SEPP aims to ensure that signage and advertising, particularly in road corridors, in appropriate to the location and setting of a proposed development.	The SEPP will need to be considered in the design and assessment of any subsequent application for development of the subject land.
SEPP (Infrastructure) 2007	The SEPP aims to provide a consistent planning regime for the delivery of infrastructure. It also provides provision for consultation and assessment.	Development resulting from the proposal is not likely to require implementation of the provisions of the SEPP.
SEPP (Mining, Petroleum Production and Extractive industries) 2007	The SEPP aims to manage the development of land for mining, petroleum, and extractive development in a manner that provides social and economic welfare of the State, and provides controls to promote ecologically sustainable development.	The subject land is within a Mine Subsidence District, and the Mine Subsidence Board will be consulted in this regard.

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

An assessment has been undertaken to determine the level of consistency the proposal has with relevant Ministerial Directions. The assessment is provided below.

Ministerial Direction	Relevance	Implications
1.2 – Rural Zones	Aims to protect agriculturally productive land by preventing a draft LEP from rezoning land from rural to an urban land use, or intensifying the permissible density of rural land; unless it is consistent with a Department of Planning regional strategy or justified with concurrence from the Director-General	The Planning Proposal is not consistent with this direction, however, the proposal is likely to be negligible in terms of its affect on rural lands. Concurrence will be sought from the Director-General in this regard.
2.1 – Environmental Protection Zones	Aims to protect and conserve environmentally sensitive land by requiring appropriate provisions in a draft LEP and no reduction in environmental protection standards.	The proposal does not affect land currently zoned for conservation purposes. A flora and fauna assessment of the subject land has determined that a significant impact is not likely to result from the proposal.
2.3 – Heritage Conservation	Aims to conserve items of environmental heritage by requiring a draft LEP to include provisions to facilitate the protection and conservation of Aboriginal and European heritage items.	Part of the subject land falls within the identified Sensitive Aboriginal Cultural Landscape. As such, an Aboriginal heritage impact assessment is considered necessary to support the proposal.
2.4 – Recreation Vehicle Areas	Aims to protect sensitive land or land with significant conservation values from adverse impacts of recreation vehicles by prohibiting a draft LEP from enabling of a recreation vehicle area in environmentally sensitive locations, and requiring certain matters to be considered in other locations.	The proposal does not include a recreation vehicle area.
4.2 – Mine Subsidence and Unstable Land	Aims to ensure development is appropriate for the potential level of subsidence. The direction requires consultation with the Mine Subsidence Board where a draft LEP is proposed for land within a mine subsidence district.	It is intended that the Mine Subsidence Board will be consulted following the Gateway determination.
4.4 – Planning for Bushfire Protection	Aims to reduce risk to life and property from bushfire. Requires an LEP to have regard for <i>Planning for Bushfire Protection</i> , amongst other matters. Applies to land that has been identified as bushfire prone, and requires consultation with the NSW Rural Fire Service, as well as the	The sites contain land identified as bushfire prone land, and Asset Protection Zones will be required. It is intended that consultation with the NSW Rural Fire Service will occur during the amendment process in this regard.

Ministerial Direction	Relevance	Implications
	establishment of Asset Protection Zones.	
5.1 – Implementation of Regional Strategies	Aims to give legal effect to regional strategies, by requiring draft LEPs to be consistent with relevant strategies. The direction requires a draft amendment to be consistent with the relevant State strategy that applies to the Local Government Area.	The proposal is not of a scale to be specifically identified in the Lower Hunter Regional Strategy, however, as growth in the region occurs, the proposal will provide some employment opportunities, and will support increased use of the F3 Freeway.
6.1 – Approval and Referral Requirements	Prevents a draft LEP from requiring concurrence from, or referral to, the Minister or a public authority unless approval is obtained from the Minister and public authority concerned. Also restricts the ability of a Council to identify development as designated development without the Director General's agreement.	The draft amendment will be consistent with this requirement.
6.2 – Reserving Land for Public Purposes	Aims to facilitate the reservation of land for public purposes, and to facilitate the removal of such reservations where the land is no longer required for acquisition. A Council must seek the Minister's or public authority's agreement to create, alter or reduce existing zonings or reservations in an LEP. A Council can also be requested to rezone or remove a reservation by the above.	The proposal will not have implications for public land reservations.
6.3 – Site Specific Provisions	Aims to reduce restrictive site specific planning controls where a draft LEP amends another environmental planning instrument in order to allow a particular development proposal to proceed. Draft LEPs are encouraged to use existing zones rather than have site specific exceptions.	The proposal is not consistent with this direction, and a site specific provisions will be necessary to enable the proposed development on the site. The Director-General's advice will be sought in this regard.

C. Environmental, social and economic impact

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

The subject land is substantially disturbed and any further removal of vegetation is likely to be negligible given the siting of the proposed development as indicated by the concept plan (see Figure 3). Conacher Environmental Group have undertaken a Flora and Fauna Assessment, and determined that the proposal is not likely to have a significant affect on critical habitat, or threatened species, populations or communities. The existing conservation corridor will remain within the 7(2) Conservation (Secondary) Zone, and other riparian corridors may be included within a conservation zone depending on the outcome of further investigations.

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

The subject land has been disturbed, with Lot 211 in particular being in a highly degraded state due to previous use as a works depot. The site does contain some vegetation, however, the concept plan indicates that the development will focus on the previously disturbed part of the site (see Figure 3). It is not anticipated that there will be other significant environmental effects as a result of the proposal, however, additional studies are considered necessary to identify any matters that may be of consequence.

The Bushfire Report undertaken by Conacher Environmental Group concluded that most of the subject land has been highly disturbed over a long period and has suffered from high levels of native vegetation removal, weed invasion, soil placement or disturbance, and that there are no significant environmental constraints to development of the land.

The Conacher Environmental Group Flora and Fauna Report identified the presence of two migratory fauna species (*Rhipidura rufifrons* & *Monarcha melanopsis*), one threatened flora species (*Maundia triglochinosoides*), two endangered ecological communities (River-flat Eucalypt Forest & Swamp Sclerophyll Forest). However, the report concluded that the proposed development is not likely to have a significant effect on threatened species, populations, endangered ecological communities or their habitats.

How has the planning proposal adequately addressed any social and economic effects?

Internal consultation has been undertaken and studies have been completed to assess social and economic implications. The proposal will support the ongoing role of the Freeway as growth continues in the region, and will provide employment opportunities to the local community. The proponent has indicated that the development will provide 472 construction jobs, 99 on-going jobs, and 183 jobs through the multiplier effect (indirect employment opportunities).

Economic and retail analysis reports submitted by the proponent have demonstrated the feasibility of the proposed development, and consultation with specialist staff indicated demand for a second service centre on the Freeway.

D. State and Commonwealth interests

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

Consultation undertaken with service authorities by the proponent has determined that the land can be adequately serviced to accommodate the proposed development of the subject land, although some upgrades will be extensive and costly. Further consultation is necessary to determine the specific level of infrastructure upgrades required to support the proposed development.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The requirement for consultation with State and Commonwealth public authorities will be undertaken as directed by the Gateway determination. It is proposed that consultation will occur with the following agencies:

- Department of Planning
- NSW Tourism
- Roads and Traffic Authority
- Hunter Water Corporation
- Energy Australia
- Department of Transport and Infrastructure
- State and Regional Development
- Department of Environment, Climate Change and Water
- Department of Primary Industries – Agriculture
- Mine Subsidence Board
- Transgrid

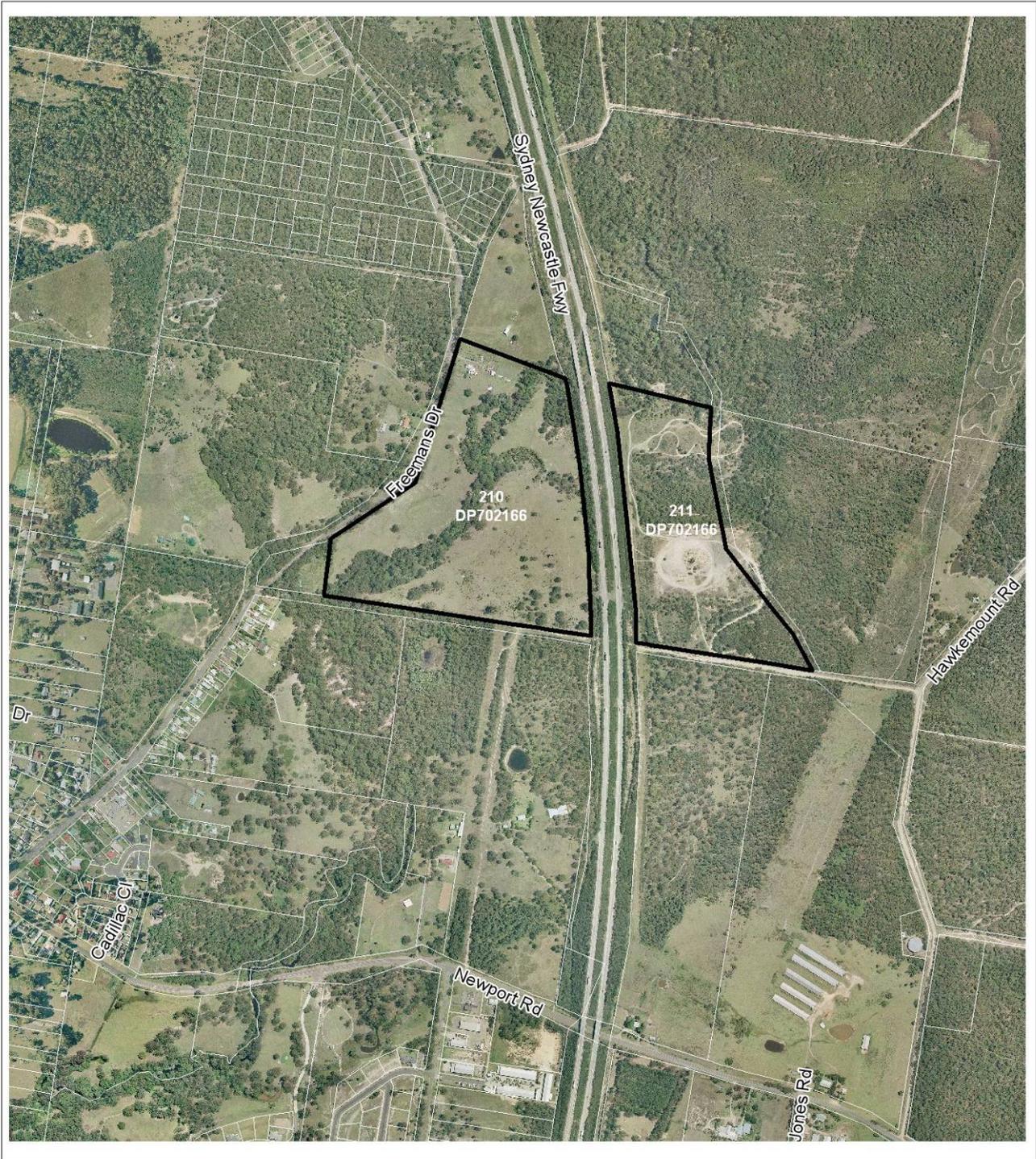
Part 4 – Details of Community Consultation

There has been no previous public consultation regarding this planning proposal. Council's preference is for a minimum public exhibition period of 28 days.

Part 5 – Attachments



Figure 1: Subject Land Locality Map



Locality: COORANBONG

 Subject Land

SKM AusImage 2007 Aerial Photography

200 0 200

Metres



Produced by Integrated Planning
Project: 2010/1527 15/07/2010

Figure 2: Aerial Photograph



Figure 3: Concept Plan for Proposed Service Centre (source: Elton Consulting Planning Proposal May 2010)

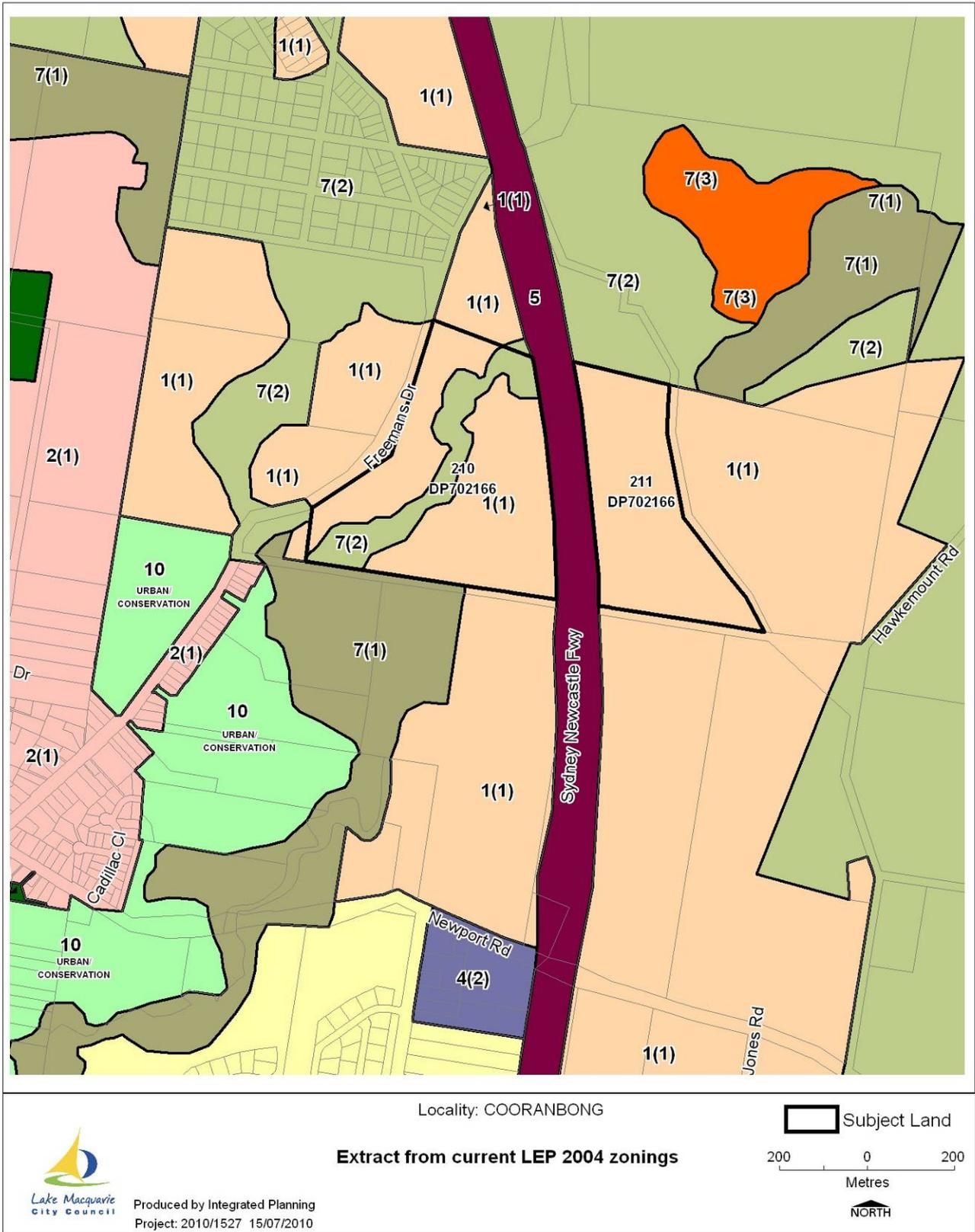


Figure 4: Existing Zone Distribution LMLEP 2004