

# **Planning Proposal**

**LAKE MACQUARIE CITY COUNCIL**

**Amendment No. 64 to the  
Lake Macquarie Local Environmental Plan 2004**

Subject land:

Lot 414 DP 866775

113 Wyndham Way, Eleebana

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## Part 1 – Objective of the Planning Proposal

The objective of this Planning Proposal is to amend the Lake Macquarie Local Environmental Plan 2004 (“LMLEP 2004”) to allow residential development on part of Council owned land known as Lot 414 in DP 866775 and situate at 113 Wyndham Way Eleebana (“the land”), and to conserve the remainder of the land.

## Part 2 – Explanation of Provisions

The amendment proposes the following changes in the zoning of the land under LMLEP 2004:

Existing Zone	Area (ha)	Proposed Zone	Area (ha)
2(1) Residential	3.45	7(1) Conservation (Primary)	3.45
10 Investigation	7.37	Part 2(1) Residential Part 7(1) Conservation	1.4 5.97
6(1) Open Space	2.12	7(1) Conservation	2.12

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

Amendment Applies to:	Explanation of Provision
Map	Rezone the site from 2(1) Residential, 6(1) Open Space and 10 Investigation to 2(1) Residential and 7(1) Conservation.  Refer to Map Sheets in Appendix 3.

Amendments will also be required to various maps in draft Lake Macquarie Local Environmental Plan 2012 (“draft LMLEP 2012”) as set out in the table over page.

The Planning Proposal will result in the following changes to Draft *Lake Macquarie LEP 2012* (Council's Standard Instrument LEP):

<b>Amendment Applies to:</b>	<b>Explanation of Provision</b>
Land Zoning Map	<p>Areas designated for:</p> <p>2(1) Residential will be converted to R2 Low Density Residential; and</p> <p>7(1) Conservation (Primary) will be converted to E2 Environmental Conservation.</p>
Lot Size Map	<p>R2 – 450m<sup>2</sup></p> <p>E2 – 40ha</p>
Flood Control Land Map	<p>The north western portion of the site is mapped as a Flood planning area. This part of the site is proposed to be zoned E2 Conservation.</p>
Urban Release Area	<p>Update Urban Release Area Map to reflect the subject land.</p>

## Part 3 – Justification for the Provisions

### Section A - Need for the Planning Proposal

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

Yes. Council resolved on 10 June 2008 to prepare an amendment to Lake Macquarie Local Environmental Plan 2004 (LMLEP 2004) to rezone Lot 414 DP866775 from 10 Investigation, 2(1) Residential and 6(1) Open Space to appropriate zones to support urban development and secure conservation. A Local Environmental Study (LES) has been prepared and consultation undertaken with relevant government agencies in accordance with Section 62 of the Environmental Planning and Assessment Act, 1979 (EP&A Act), to determine the most suitable zones for the land.

Existing land uses in the locality currently consist of a mix of bushland and urban development. The land is bordered by residential development to the north, east and south, and the Croudace Bay Park and Lake Macquarie to the west.

The western portion of the land, containing an area of approximately 5.31ha, was excluded from the LES as it is known to contain an Endangered Ecological Community of Melaleuca Scrub, classified as “*Swamp sclerophyll forest on coastal floodplains of the NSW North Coast, Sydney Basin and South East Corner Bioregion*” under the Threatened Species Conservation Act 1995 (the EEC).

Due to the exclusion of the EEC, the site area investigated was reduced to approximately 7.6 hectares as shown in blue outline on Figure 1 below (the Study Site).

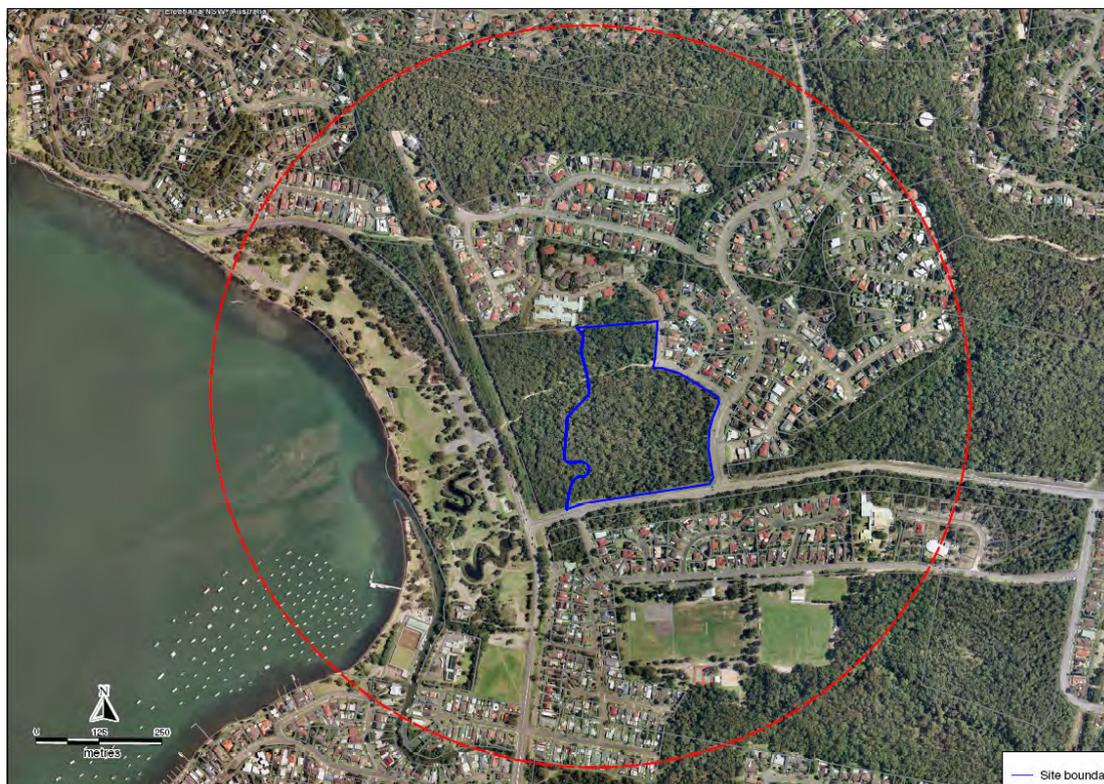


Figure 1 - The Study Site outlined in blue

The LES determined that the land is ecologically significant and locally unique in terms of its vegetation communities and floral diversity, but that some residential development could be incorporated on the land.

The following detailed studies were completed during the preparation of the LES and a summary of each and its recommendations is provided.

### Biodiversity

The land, with the exception of edge areas and disturbed wet areas, has been described as containing vegetation in good to excellent condition. The land contains four Squirrel glider corridors and a state significant wildlife corridor and has a dense ground cover with an abundance of hollow logs which could provide significant habitat for small terrestrial mammals, reptiles and amphibians. It was noted however that the number of tree hollows was relatively low, reducing the refuge value for arboreal mammals and bats (Worley Parsons 2010).

The land is also considered to be "... a viable component of other interconnecting bushland patches in the immediate area" (Worley Parsons 2010). It enjoys unbroken connections between remnants within and surrounding the land, but experiences some separation from larger fragments caused by the surrounding road network.

Narrow corridors exist along the roadside verge of Macquarie Drive providing a link to bushland areas to the north and south; and also at the north eastern and south eastern corners of the land providing links to the Tingira Nature Reserve to the east. Roads intercept all corridors and it is possible that the roads, particularly the busy major roads of Macquarie and Tingira Drives, are barriers to passage to nearby areas of remnant vegetation for terrestrial and arboreal fauna species.

The NPWS Wildlife Atlas disclosed that eleven rare or endangered species had been recorded within 10km of the land, however of those species only *Tetratheca juncea* (TJ) was recorded in the Study Site.

Field surveys were undertaken in November and December and TJ was found to be relatively common throughout the Study Site during that time, covering approximately 1.53ha. Three separate patches of varying size and clump numbers were reported, generally distributed throughout the northern, eastern and southwestern portions of the Study Site. Several individual clumps were also found to occur sporadically throughout.

The subpopulation of TJ found at the Study Site is deemed to be regionally significant under the criteria listed in the '*Lake Macquarie Tetratheca juncea Conservation Management Plan*' (Payne 2001a) as it contains over 100 plant clumps and under the stepping stone principle, the site is considered close enough to some nearby sites to be regarded as part of the same inter-breeding subpopulation.

No threatened orchids were detected, however a number of other species associated with the threatened *Cryptostylis hunteriana* were detected throughout the eastern and southern portions of the Study Site.

Exotic flora species were also found on the land, predominantly in and around the areas of the watercourses (shown in Figure 2). The predominant exotic species found were Pampas Grass (*Cortaderia selloana*), Bitou Bush (*Chrysanthemoides monilifera* subsp. *rotundata*), Camphor Laurel (*Cinnamomum camphora*), and Lantana (*Lantana camara*).

In 2004 Ecotone identified the following threatened species as likely to occur on the land:

Glossy Black Cockatoo  
Gang-gang Cockatoo  
Black bittern  
Swift Parrot  
Powerful Owl  
Masked Owl  
Regent Honeyeater

Little Bent-wing Bat  
Greater Broad-nosed Bat  
Grey-headed Flying fox  
Wallum Froglet

and the East-coast Freetail bat and Squirrel glider as “known to occur” on the land.

Of the fauna species identified above only the Squirrel glider was confirmed on the Study Site in 2010. No evidence of the East-coast Free-tail Bat which was recorded on the land in 2003 and 2007, could be confirmed in 2010.

It is possible the Wallum Froglet may still exist on the land as the EEC is described as being suitable habitat for that species. Surveys of this area however were not considered necessary in 2010 due to the proposal to rezone the EEC to a conservation zoning.

### Bushfire

The whole of Lot 414 is mapped as Bushfire Prone Land, Vegetation Category 1, and an assessment of risk to residential development was undertaken. The report stated that the final lot layout will influence the required bush fire protection measures but that in any event, Asset Protection Zones would be required and are preferred to be accommodated within the lot boundaries, parallel to any significant stands of bushland to be retained. Detail on the width of APZs and required setbacks will be sourced from the RFS at development application stage.

The general principles for bush fire protection set out in Planning for Bushfire Protection 2006 such as APZ management, services, access and egress, subdivision design and building location are recommended to mitigate the threat of bushfire and ember attack to any development.

### Geotechnical & Contamination

The report stated there were no major geotechnical constraints to future development on the land, however any development should be undertaken in accordance with engineering principles.

The risk of slope instability affecting appropriately designed development on the land is assessed to be low. Future developments however have the potential to increase the risk of landslides on the land and it is therefore recommended that any development be carried out in accordance with good hillside practices.

No contamination was identified during the investigation and no previous developments identified on the land. It is therefore considered unlikely that any soils or ground water have been contaminated.

### Stormwater and Flooding

A flood assessment was undertaken to determine the existing flood characteristics of two unnamed watercourses that traverse the northern portion of the site (shown in Figure 2 over page). The assessment included both hydrologic modelling to estimate peak discharges and flood hydraulics modelling to estimate the flood characteristics and associated flood constraints.

Modelling indicated that during a 100 year ARI flood event, flooding from Watercourse 1 would be contained to a 20-30 metre wide inundation extent and that the majority of the flow would be conveyed through the channel.

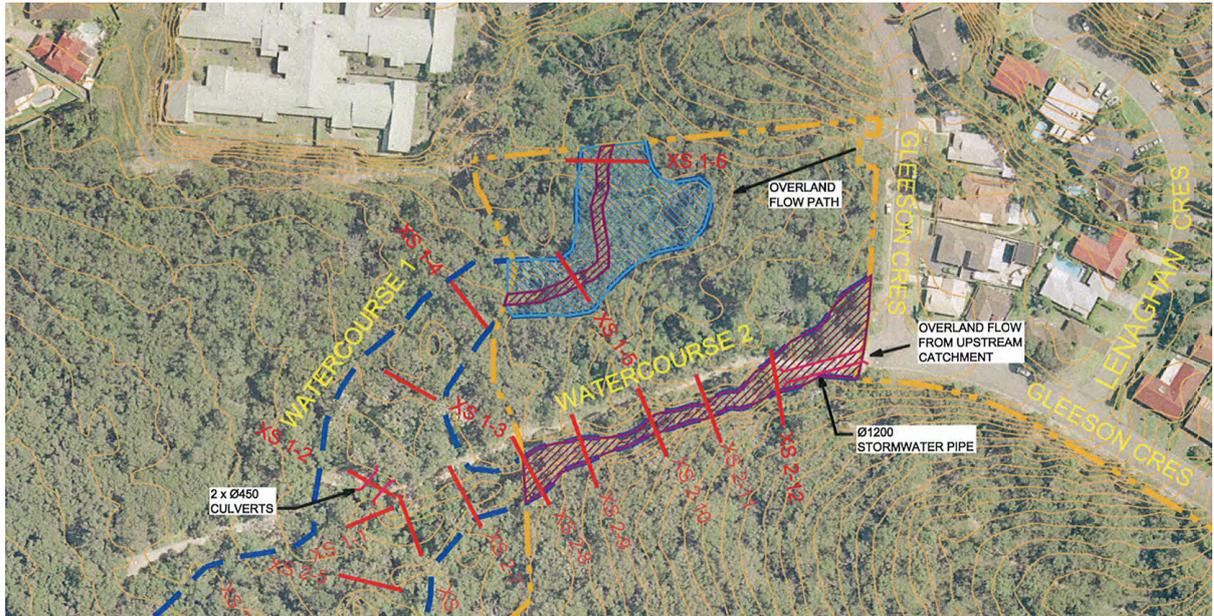


Figure 2

It was found that high velocities are possible within Watercourse 2 during a 100 year ARI flood event, which could lead to significant bank erosion. However flooding within the upper reaches of this watercourse appear to be contained within a tail-out drain which has been excavated to approximately 2 to 3 m below the natural surface.

A residential zone will offer rainwater harvesting opportunities through the use of dwelling roofs and it is expected that 30 to 40% of the developable area would comprise roof area.

It was concluded that the study area is not subject to Lake flooding, under existing or projected lake flood levels.

### Aboriginal and European Heritage

There are no known Aboriginal or historic heritage constraints to development in the study area.

### Visual Impact

View shed analysis was undertaken for the proposal. The site as a whole is considered to be visually prominent and the part of the land fronting Wyndham Way is visible from most observation points. The part fronting Stenhouse Drive however is not visible from all observation points and the area proposed for conservation will not have any adverse visual impact.

### Traffic and Transport

A Traffic Impact Assessment was undertaken by Better Transport Futures on the assumption of 48 residential lots and 4 small local shops being created on the land. A far lesser lot yield than that assessed is being sought and this will substantially reduce the number of vehicle movements generated from the development.

The report stated that existing traffic flows in Wyndham Way are relatively low in the vicinity of the land and well within acceptable limits and that the following impacts could be seen from the proposal:

A maximum of 432 vehicle movements per day (41 vehicle movements per hour) could be experienced from an anticipated lot yield of 48 lots, and

A possible 90 vehicle movements per hour could be experienced from the shops.

The report also stated that Wyndham Way, being a collector road, has a maximum limit of 500 vehicle movements per hour (sourced from the RTA Guide to Traffic Generating Developments) and that the anticipated additional traffic generated would remain well within acceptable limits; and that the impact on Tingira Drive, a local collector road, would also be acceptable. A Sidra analysis was also undertaken and found that the intersection of Wyndham Way and Tingira Drive would continue to operate in a safe and appropriate manner.

Existing pedestrian and cycling facilities are deemed sufficient for current and future users but that a pedestrian link should be provided to the foreshore area and skate park to the west.

The report stated that improvement to public transport services would not be required as the existing services had adequate capacity for additional demand associated with the assessed development.

The Social Impact Assessment identified that nearly half of all dwellings in the area have 2 motor vehicles (48%) with less than 2% not having a vehicle at all. It is therefore considered that demand for buses in the area is low, and the current provision of public transport is adequate to service the new development.

### Infrastructure Services

#### Sewer

There is currently sufficient capacity at Valentine No. 1 WWPS to cater for the expected loads from the proposed development and there is sufficient capacity at the Belmont WWTW to cater for flows received from the proposed development.

#### Water

Connection can be made in the following two ways:

1. To the Eleebana High Level System is via the existing 150mm CICL Watermain located in Tingira Drive.
2. To the South Wallsend Reservoir (low level system) via the existing 300mm CICL watermain located in Macquarie Drive.

HWC has indicated that there is currently sufficient capacity in both systems to supply the development to meet the minimum pressure and fire fighting requirements.

#### Electricity

EnergyAustralia have assets adjacent to the proposed development which will allow for future interconnection to the existing network. The development is expected to require substations together with high and low voltage distribution to cater for potential loads of the site.

#### Telecommunications

Telstra have advised that the proposed development can be serviced although a network service upgrade and protection or relocation of any impacted infrastructure may be required, depending on the final lot yield.

### Social and Economic Impact Analysis

The Social Impact Assessment (SIA) stated that the vast majority of Eleebana residents (94.2%) live in separate detached dwellings. The small size of the proposed development would integrate with the existing residential area and attract a similar demographic with the existing community. Linkages between the existing community and the new development can be created and the two areas would become integrated.

Residential development on the land will assist in meeting targets for additional infill dwellings under the Lower Hunter Regional Strategy, as well as provide housing for the predicted increase in population in the Lake Macquarie LGA.

There are a large number of regional and district parks and recreational facilities in or within walking distance of Eleebana. It is therefore considered that the future population generated from the development can use these spaces without creating demand for further recreational spaces.

The location of the land and its proximity to those recreational areas also promotes an active lifestyle. The land is in close proximity to cycle and pedestrian paths encouraging recreational activity thereby reducing the incidence of lifestyle diseases such as obesity and diabetes.

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

Part of the land is zoned for investigation purposes. In order to rezone this area in accordance with its highest and best use an LEP Amendment is required. The Planning Proposal therefore is the best means of achieving the intended outcomes.

Section B – Relationship to Strategic Planning Framework

**3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft strategies)?**

Due to the relatively small size of the land it has not been individually identified in the Lower Hunter Regional Strategy (LHRS). The LHRS however permits consideration of release sites not Identified provided they satisfy the Sustainability Criteria and are not located within identified green corridors.

The planning proposal meets the criteria for Infrastructure Provision, Access, Avoidance of Risk, Natural Resources and Quality and Equity in Services. The small scale of the residential development does not permit a broad range of housing choices or provision of employment lands. The planning proposal does however maintain the existing level of employment lands and is therefore considered consistent with that criteria also.

The planning proposal strives to meet the criteria for Environmental Protection. It will not have any effect on air quality, heritage or waterway health, and the intent of the conservation zone is to protect the land's biodiversity values by minimising clearing of native bushland and ensuring preservation of environmentally sensitive areas including an EEC and identified corridors.

The LHRS identified a target within Lake Macquarie LGA of 36,000 new dwellings by 2031 with 21,000 provided as infill development (14,000 within centres and corridors and 7,000 as other urban infill). Currently 75% of new dwellings are accommodated in new urban release areas but the LHRS is striving to reduce that percentage to 60%, with the remainder of new dwellings provided for in existing urban areas.

The planning proposal seeks to provide additional residential land in an existing urban area, which will assist in achieving the targets set by LHRS.

The Lower Hunter Regional Conservation Plan (LHRCP) identifies the land as being part of a regionally significant squirrel glider population, as well as a State Significant wildlife corridor. The status of this population/corridor has been considered during the LES and the planning proposal seeks to ensure the viability of the Squirrel glider population by applying a sensitive design and

location for the residential component. The majority of the including all corridors, will be zoned for conservation purposes.

The LES analysed the opportunity for both dwellings and local neighbourhood shops to be accommodated on the land to meet the growing demands in this location. It was determined that local neighbourhood shops were not an appropriate use of the land, but that residential development in a limited capacity may be supported.

#### **4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

The land is not identified in Council's strategic document, Lifestyle 2030 (LS 2030), but was identified in its predecessor, Lifestyle 2020, as a 'neighbourhood centre under investigation'. Consideration of the suitability of providing a neighbourhood centre in this location was undertaken as part of the LES, but it was found that the land was not appropriate for that purpose.

Similarly Lifestyle 2020 was reviewed as part of the preparation of LS 2030 and it was concluded that there was sufficient land zoned 3(1) and 3(2) in the City to enable further development. The nearest neighbourhood centre is approximately 1.3km away at Valentine with the larger town centres of Warners Bay, Mount Hutton and Belmont between 3.5km – 5km away. The land is situated on a public transport route providing access to these nearby town centres.

The Urban Structure Map included in LS 2030 does not show intended uses for specific parcels of land, instead sets out the broad intent of the document. The document aims to minimise development on the urban fringe, and to protect and preserve areas of historical, cultural and ecological significance as well as terrestrial and aquatic habitats and movement corridors.

The Green System Map included in LS 2030 also does not specifically identify the land but aims to protect areas identified as having conservation value such as EECs, wildlife corridors and significant wildlife habitats.

The planning proposal is consistent with the intent of LS 2030 as it aims to provide residential land in an existing urban area whilst minimising clearing of native vegetation and protecting the land's EEC and existing corridors.

A reconciliation of the Lower Hunter Regional Strategy (LHRS) and LS 2030 provisions has found that 8,715 detached housing lots need to be identified in existing urban areas (infill). While there appears to be sufficient capacity in existing urban areas for attached dwellings, there does not appear to be sufficient suitable land to accommodate the projected increase in detached dwellings and applying a conservation zone to the whole of the land would not assist in achieving this target.

The land had been identified in Council's Urban Development Program as providing a possible 50 dwellings and the proposed 2(1) Residential zone seeks to accommodate predominately detached dwellings, consistent with the existing surrounding residences. Although it is acknowledged that this projection cannot be attained from the land, the residential proposed contribute to achieving targets.

#### **5. Is the planning proposal consistent with applicable state environmental planning policies (SEPPs)?**

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.

SEPP	Relevance	Implications	Consistent
SEPP 14 – Coastal Wetlands	The SEPP aims to preserve and protect coastal wetlands of high natural value.	The planning proposal does not include any wetlands.	Yes
SEPP 19 – Bushland in Urban Areas	Aims to prioritise the conservation of bushland in urban areas, and requires consideration of aims in preparing a draft amendment.	The planning proposal seeks to conserve 11.9 ha of urban bushland by rezoning the land to a conservation zone, including 3 ha of land currently zoned for residential purposes.	Yes
SEPP 44 – Koala Habitat Protection	Aims to encourage the proper conservation and management of areas of natural vegetation that provide koala habitat.	<p>Lake Macquarie LGA is listed as an area to which the Policy applies. Three Koala food tree species, listed in Schedule 2 of SEPP 44 (Grey Gum <i>Eucalyptus punctata</i>, Swamp Mahogany <i>E. robusta</i> and Forest Red Gum <i>E. tereticornis</i>), occur in the western portion of the land that is proposed to be zoned for conservation purposes.</p> <p>No listed food trees occur in the eastern portion of the land where a residential zone is proposed and it is therefore unlikely that further assessment under this policy will be required.</p>	Yes
SEPP 55 – Remediation of Land	Establishes planning controls and provisions for the remediation of contaminated land.	No contamination has been identified on the land, and on consideration of the prior uses of the land, no contamination is anticipated.	Yes
SEPP 71 – Coastal Protection	The SEPP aims to ensure that development in the NSW coastal zone is appropriate and suitably located.	<p>The land is within the coastal zone and the proposal will not impede the public's access to the coastal foreshore.</p> <p>The scenic quality and ecological values of the land have been assessed and the proposal will not adversely effect either of these attributes.</p>	Yes

SEPP – Major Development	This SEPP provides guidelines and benchmarks as to when a project is considered to be 'regional development' or 'state significant development'.	The proposal is not considered to be regional or state significant development.	Yes
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.	The current provision of infrastructure has been assessed as being sufficient to support future residential development.	Yes
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 land is within a Mine Subsidence District and the Mine Subsidence Board and the Department of Primary Industries (DPI) have been consulted in relation to the proposal.	Yes

**6. 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.

<b>Ministerial Direction</b>	<b>Relevance</b>	<b>Consistency</b>
1.2 – Rural Zones	The objective of this direction is to protect the agricultural production value of rural land. It applies where a draft LEP affects land within an existing or proposed rural zone.	The proposal does not conflict with this direction as the land is not zoned rural.  The planning proposal is consistent with 1.2 Rural Zones.
1.3 – Mining, Petroleum Production and Extractive Industries	This direction aims to protect the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials and requires consultation with the Department of Primary Industries.	The proposal will not conflict with any future extraction of underground reserves.  The planning proposal is consistent with 1.3- Mining, Petroleum Production and Extractive Industries.
1.5 – Rural Lands	The objectives of this direction are to protect the agricultural production value of rural land and facilitate the orderly and economic development of rural lands for rural related purposes.	The land is not situate in or near a rural area.  The proposal will not conflict with 1.5 Rural Lands.
2.1 – Environmental Protection Zones	This direction 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 aims to rezone 11.9 ha of the land for conservation purposes.  The 1.4ha nominated for residential development has been cited to minimise clearing of native vegetation and to avoid sensitive areas such as the EEC and Squirrel glider corridors.  The proposal is consistent with 2.1- Environmental Protection Zones.
2.2- Coastal Protection	The direction aims to implement the principles in the NSW Coastal Policy, and is applicable to land within the coastal zone.	The proposal will not impede the public's access to the coastal foreshore nor will it adversely effect either the scenic quality or environmental attributes of the land.  This planning proposal is consistent with 2.2-Coastal Protection.
2.3 – Heritage	Aims to conserve items of	No Objects or Places of Aboriginal

<b>Ministerial Direction</b>	<b>Relevance</b>	<b>Consistency</b>
Conservation	environmental heritage by requiring a draft LEP to include provisions to facilitate the protection and conservation of Aboriginal and European heritage items.	cultural heritage significance or items of historic heritage were listed or found to be present within the study area.  The planning proposal is consistent with 2.3 Heritage Conservation.
2.4 – Recreation Vehicle Areas	The direction restricts a draft LEP from enabling land to be developed for a recreation vehicle area.	This Planning Proposal does not propose any recreation vehicle areas and is consistent with this Direction.
3.1 – Residential Zones	The direction requires a draft LEP to include provisions that facilitate housing choice, efficient use of infrastructure, and reduce land consumption on the urban fringe.	The proposal seeks to rezone that part of the land that is readily accessible to existing services and infrastructure, for residential purposes. The land is adjacent to existing residential and will not impact on the urban fringe.  The proposal is consistent with 3.1- Residential Zones.
3.2 – Caravan Parks and Manufactured Home Estates	The direction requires a draft LEP to maintain provisions and land use zones that allow the establishment of Caravan Parks and Manufactured Home Estates.	This proposal will not affect provisions relating to Caravan Parks or Manufactured Home Estates.  The Planning Proposal is consistent with 3.2- Caravan Parks and Manufactured Home Estates.
3.3 – Home Occupations	The direction requires that a draft LEP include provisions to ensure that Home Occupations are permissible without consent.	The Planning Proposal will not affect provisions relating to Home Occupation, and will retain the provisions of the principal LEP in this regard.  The planning proposal is consistent with 3.3-Home Occupation.
3.4 – Integrating Land Use and Transport	The direction requires consistency with State policy in terms of positioning of urban land use zones.	The proposal seeks to rezone land which is readily accessible to existing services and infrastructure, for residential purposes. The current provision of infrastructure has been assessed as being sufficient to support future residential development.  The planning proposal is consistent with 3.4-Integrating Land Use and Transport.

Ministerial Direction	Relevance	Consistency
4.1- Acid Sulphate Soils	Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	The preliminary geotechnical and contamination assessment concluded that the presence of acid sulphate soils on the land is unlikely. Development of the land is unlikely to conflict with 4.1- Acid Sulphate Soils.
4.3- Flood prone land	Aims to ensure that development of flood prone land is consistent with the NSW Government Flood Prone Land Policy and the Principles of the Floodplain Development Manual 2005 and to ensure that the provision of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	<p>The LES indicated that in a 100 year ARI flood event some flooding was possible from a natural watercourse situate in the north eastern portion of the land. No adverse effect is anticipated as any flooding would be contained within a tail-out drain excavated to approximately 2 to 3 m below the natural surface.</p> <p>That part of the land containing the watercourse is being zoned conservation.</p> <p>The planning proposal is consistent with 4.3- Flood prone lands.</p>
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 establishment of Asset Protection Zones.	<p>The land is classified as Vegetation Category 1 and an assessment of risk to residential development has been undertaken. Asset Protection Zones and compliance with the provisions of <i>Planning for Bushfire Protection (2006)</i> will be required and further consultation will be undertaken with the RFS at development application stage.</p> <p>The planning proposal is consistent with 4.4-Planning for Bushfire Protection.</p>
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.	<p>The proposal is consistent with the Lower Hunter Regional Strategy in that the proposed residential zone will assist in achieving the targets for additional infill dwellings set out in that Strategy, and the proposed conservation zone will ensure preservation of ecologically sensitive lands in perpetuity.</p> <p>The planning proposal is consistent with Direction 5.1-Implementation of Regional Strategies.</p>

<b>Ministerial Direction</b>	<b>Relevance</b>	<b>Consistency</b>
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.	<p>The draft amendment may require concurrence from the RFS due to bushfire considerations and from the Australian Department of Sustainability, Environment, Water, Population &amp; the Community due to the presence of TJ and its significance under the Environment Protection Biodiversity Conservation Act</p> <p>The development is not identified as designated development.</p>
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.	<p>The land is not subject to an existing reservation for a public purpose and that part of the land that is currently zoned for open space purposes will be rezoned to conservation.</p> <p>That part of the land proposed to be rezoned to a residential zone is currently zoned for investigation purposes. The proposal therefore will not reduce the current provision of public land and is consistent with Direction 6.2- Reserving Land for Public Purposes.</p>
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.	<p>The amendment does not propose site-specific zones or planning provisions.</p> <p>The planning proposal is consistent with 6.3- Site Specific Provisions.</p>

## Section C – Environmental, Social and Economic Impact

### **7. 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 primary recommendation in the LES was to zone the whole of the land to 7(1) Conservation (Primary) Zone as the land is considered to be ecologically significant and has been described as locally unique in terms of its vegetation communities and floral diversity.

The LES identified a second option for the zoning of approximately 2.1ha of the land to a residential zone, subject to a number of conditions being implemented including a vegetation management plan, and a sensitive layout design responsive to the environmental constraints of the land.

The residential zoning option put forth in this Planning Proposal is a more environmentally sensitive design than that proposed in the LES. It has a number of benefits over and above the LES recommendation in that it negates the need for clearing of native vegetation for road construction as all lots will have frontage to the existing formed roads of Stenhouse Drive and Wyndham Way; and will also negate the need for clearing of native vegetation for connection to services as existing services (water, telecommunications, gas and electricity) for the surrounding residential development are situated within the road reserves of Stenhouse Drive and Wyndham Way. The sewer main that services the surrounding residential development traverses the land from the junction of Wyndham Way and Stenhouse Drive travelling west to Macquarie Drive. With the exception of possibly sewer which is anticipated to be situated at the rear of each property, no clearing of native vegetation is required to facilitate service connection.

The LES proposed an area of 2.1ha as residential whereas the Planning Proposal is seeking 1.4 ha only. The reduction in developable area will also result in less clearing of native vegetation for dwelling construction.

The land contains an EEC, *Tetratheca juncea*, regionally significant Squirrel glider corridors and a state significant wildlife corridor. It has links to a larger conservation corridor to the east and other vegetation corridors to the north-east and north-west. These corridors are recognised in Council's Native Vegetation and Corridors Map as remnant native vegetation and contain five crossing points that could be used for mobile fauna such as the Squirrel Glider.

The Squirrel glider was first confirmed on the land in 1995. Additional studies conducted on the land between 1995 and 2009 however failed to record the presence of the Squirrel Glider. Forest Fauna Surveys prepared a Squirrel Glider Study as part of the LES in December 2009. One individual was captured and observed on the land during those investigations, confirming that a local population still occurs on the site.

Field work for the survey comprised trapping, stagwatch, spotlight and cameras.

Trapping was undertaken over the entire site (including the EEC) over four consecutive nights, with a total of 100 traps set. One juvenile male Squirrel Glider was captured in Trap 18 (shown in red circle on Figure 3 over page) on the last night of trapping.

Stagwatch surveys of known den trees or potential habitat trees were undertaken over four nights, from dusk until darkness. No gliders were observed to emerge from tree hollows.

Spotlight searches were conducted in December 2009 and recorded one juvenile male Squirrel Glider foraging along the central drainage line. No additional observations of Squirrel Gliders were made.

Two infra-red digital scouting cameras were also installed on trees on the site for a total of 84 nights. The locations of the cameras are shown in Figure 3 below. No photographs of Squirrel Gliders feeding from the bait stations were recorded during the monitoring period.

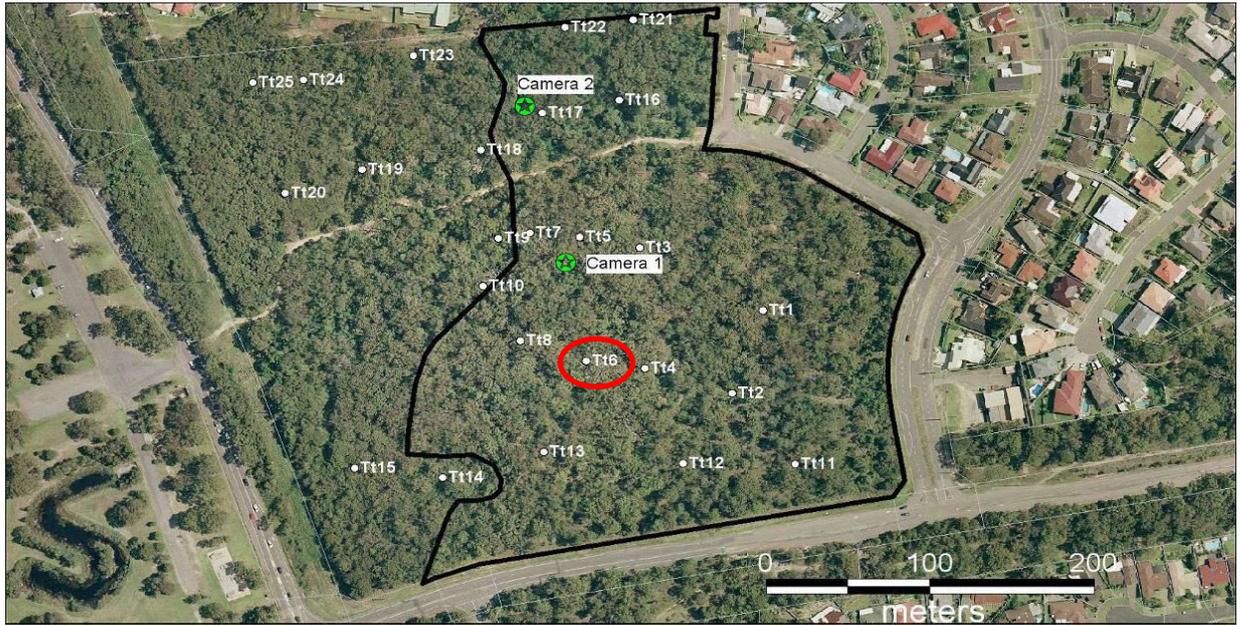


Figure 3

The report identified five Squirrel glider corridors (shown on Figure 4 below). Power lines and roads present obstacles to Squirrel glider movements from Corridors #1 and #2, and canopy height within those corridors is relatively low being 14m or less. Corridors #3 and #4 are described as better quality corridors, however #4 is considered less optimal due to its containing a cleared power line easement 17m wide and only scattered eucalypt trees with a height of up to 15m. Corridor #4 also crosses Macquarie Drive which is classified as a State road and it's long term viability will be influenced by any future upgrades of that road.

Corridor #3 is the highest quality corridor as its canopy attains a height of 22m. That corridor however sits within an area of land zoned 2(1) Residential under the LMLEP 2004. Due to the significance of the corridor and to ensure its preservation in perpetuity, the Planning Proposal seeks to rezone this area to a conservation zone.

Corridor #5 is said to be a good crossing point to canopy tree cover in the adjoining parkland, but that it is distant from the site and as with Corridor #4, it's long term viability will be influenced by any future upgrades of Macquarie Drive.



Figure 4

Forest Fauna Surveys mapped the land's 45 habitat trees as follows:

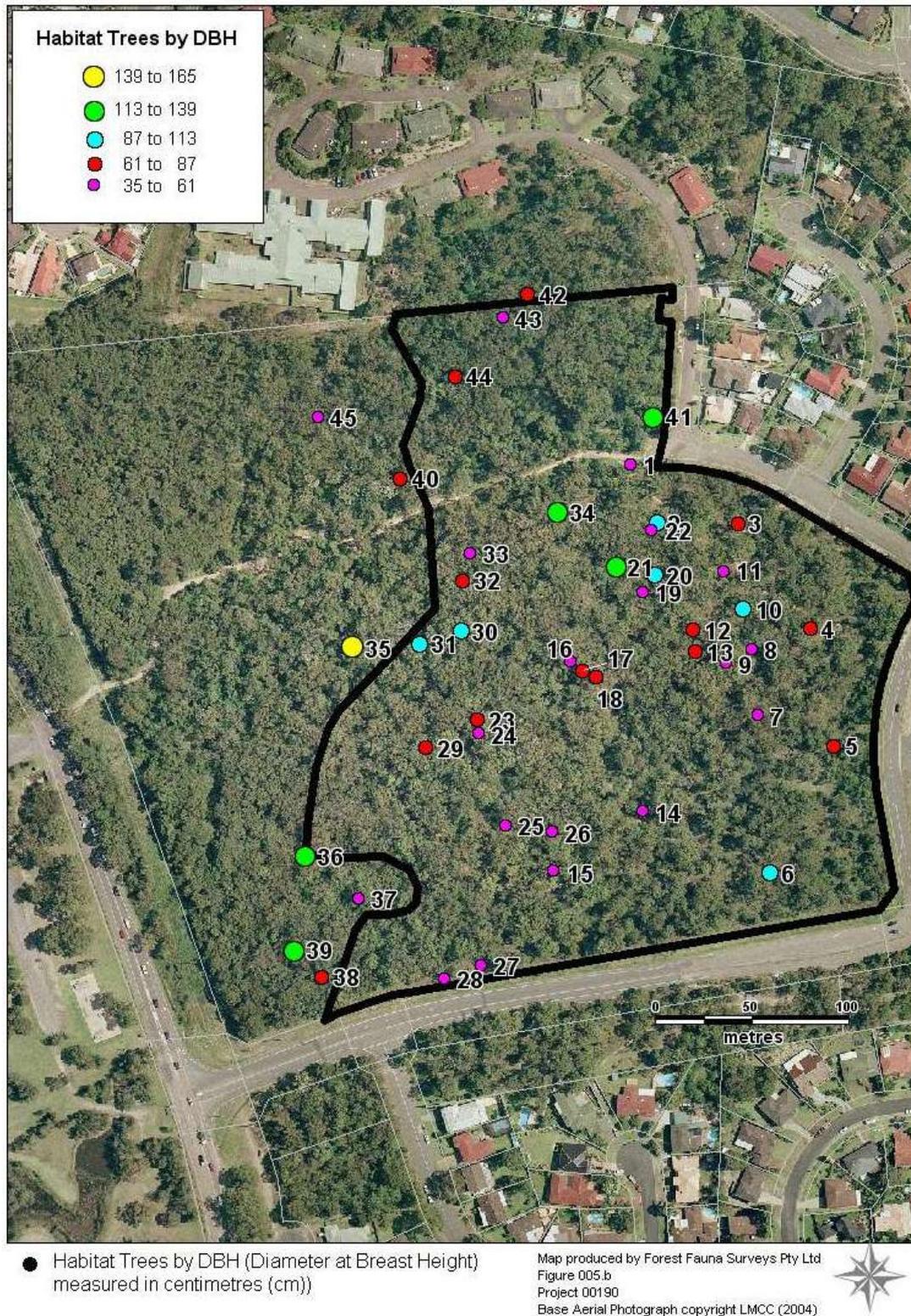


Figure 5

The residential zone sought under the Planning Proposal seeks to avoid a majority of the habitat trees with only trees numbered 2, 3, 4, 5 and 22 within the proposed residential zone. This equates to retention of 88% which is higher than the threshold of 75-80% required under the Biodiversity Planning Policy and Guidelines for LEP Rezoning Proposals (2009).

Overall the Assessment described the quality of the vegetation on the land, including the EEC, as high but stated at clause 4.3.2 that “*The potential loss of 3.5 to 3.75 hectares\* of high quality habitat on the subject site is unlikely to significantly impact upon the long term viability of the locality Squirrel glider population*” as several hundred hectares of quality habitat exists within the Eleebana fragment.

Targeted surveys were also undertaken as part of the LES in November and December 2009 for the following species:

- Black-eyed Susan – *T. juncea*
- Leafless Tongue Orchid – *C. hunteriana*
- Tessellated Spider Orchid – *C. tessellata*
- White-flowered Wax Plant – *C. elegans*
- Small-flower Grevillea – *G. parviflora subsp parviflora*

Of those species only *Tetratheca juncea* (TJ) was found. The TJ was found to be relatively common throughout the study site with distribution over the northern, eastern and south-western portions of the land, in the locations shown by yellow on Figure 6 below. Several individual clumps were also found to occur sporadically throughout the land but were generally absent from the central gully area of the site.



Figure 6 – TJ clumps shown in orange

\* Two development options were considered by Forest Fauna Surveys in the preparation of their report, neither of which transpired to recommendations in the LES. The area sought for residential development under the Planning Proposal is significantly less than the development scenarios considered.

The LES recommended that the entire sub-population of TJ found on the land be retained as it has been deemed as “significant” under the criteria listed in the Lake Macquarie *Tetratheca juncea* Conservation Management Plan (Payne 2001a).

The Conservation Management Plan aims to conserve all large TJ populations and provides for retention of 75 to 80% of the plant clumps to ensure preservation of a viable population. The area proposed to be rezoned for residential purposes has been cited to minimise disturbance to known TJ and aims to achieve 78% retention. Edge effects however may impact on the retention threshold and off site offsetting has been considered as a result.

ADW Johnson undertook a Land Capability Report in February 2011 and identified eleven Council-owned sites with offset potential. All eleven of those sites are situated within a 5km radius of the subject land, contain appropriate ecosystem types including TJ, and are of more than five hectares in area. One of those properties in particular is classified Operational Land, part zoned 2(1) Residential and is known to contain TJ. That parcel of land was surveyed in 1999 by Ecotone Ecological Consultants Pty Ltd (Ecotone) and was found to contain 300-320 clumps with a large proportion of the plants setting seed. Ecotone surveyed the land again in 2003 and found 792 clumps, a population increase of 250% over four years. Although further survey work would have to be undertaken on this land to ascertain the current TJ population and other resident species and populations, the land has an area of approximately 28 hectares and is likely to be a satisfactory offset for the small residential development proposed. Utilising this land as an offset/biobank site would ensure its conservation in perpetuity, and combined with the 11.5 hectares of the subject land that is also proposed for conservation, could see up to 40 hectares of Council-owned land in Eleebana/Valentine area locked away as conservation land.

Further target surveys for TJ and orchids will be undertaken on the land and if required the proposed offset site, at the subdivision application stage.

The proposal seeks to rezone the areas containing the EEC, all Squirrel glider corridors and the wildlife corridor to 7(1) Conservation (Primary) Zone to ensure protection of the land’s high ecological values and has cited and designed the residential component to minimise disturbance to ecologically sensitive areas and native vegetation.

Council’s Biodiversity Planning Policy and Guidelines for (LEP) Rezoning Proposals (BPPG) has also been considered. The BPPG aims to ensure that biodiversity issues are considered and resolved early in the land use planning process to ascertain the biodiversity values of land and where acceptable loss can occur. Species requirements for TJ and the Squirrel glider are outlined in the BPPG which requires retention of 75% of TJ populations and connectivity for Squirrel gliders.

The planning proposal aims to achieve 78% retention of TJ and 100% of the Squirrel glider corridors.

The 1.4 hectare development option, by virtue of its sensitive design and minimisation of developable land area complies with both the BPPG and the Lake Macquarie *Tetratheca juncea* Conservation Management Plan.

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

That part of the site containing Squirrel glider Corridor #3 is currently zoned 2(1) Residential and is classified as Operational Land. To ensure preservation of the corridor in perpetuity it is proposed to renounce that 2(1) component, offering it as 7(1) Conservation (Primary) Zone instead. This back zoning will provide a positive environmental outcome as not only will it ensure long-term connectivity of the highest quality Squirrel glider corridor, it will also result in a net gain in conservation land. The 2(1) component being renounced contains in excess of 3.1ha, i.e. 200% more residential land than is being sought as residential under this Planning Proposal.

The proposal seeks to rezone the areas containing the EEC, all Squirrel glider corridors and the State Significant Wildlife Corridor to 7(1) Conservation (Primary) Zone to ensure protection of the site's high ecological values and has cited and designed the residential component to minimise disturbance to ecologically sensitive areas.

The Flora & Fauna Study identified the following key threatening processes as maybe requiring assessment for any development of the land:

- "Clearing of native vegetation"; and
- "Invasion by Bitou Bush".

Bitou Bush is one of four exotic flora species found on the land. The land is not currently subject to a management plan and no ameliorative steps are being taken to reduce the incidences of the exotic plants. Development of the residential zone sought under the planning proposal however will provide a fiscal return to the landowner which will enable a management plan to be implemented for the remainder of the land, including the EEC.

## **9. How has the planning proposal adequately addressed any social and economic effects?**

Development of part of the land for residential purposes will support projected population growth and the strategic direction contained within Lifestyle 2020 and draft Lifestyle 2030, and will generate temporary employment opportunities throughout construction.

The Lower Hunter Regional Strategy identifies a requirement for 7,000 urban infill dwellings in Lake Macquarie, with 36,000 dwellings required Citywide. The land had been identified in Council's Urban Development Program as providing a possible 50 dwellings and although it is now known that this number cannot be achieved from the land due to the ecological constraints, the residential component would assist in meeting these requirements.

The Social Impact Assessment (SIA) recommended that any development footprint comprise larger lots to integrate the new development with the existing area and attract a similar demographic with the existing community.

The proposed residential component adjoins existing services and infrastructure, including a public bus stop which is located on the land/road reserve in Wyndham Way. Newcastle Buses provides a regular bus service from Belmont to Newcastle, via the Town and Regional Centres of Warners Bay, Mount Hutton (Lake Macquarie Fair Shopping Centre), Charlestown, Kotara (Westfield Shopping Centre) and The Junction.

Given the outcomes of the LHRS and the draft LS 2030 as well as taking into account the land's proximity to the above town centres, no further investigation on the need for a neighbourhood centre in this area was undertaken.

The land is located in close proximity to existing recreational areas, including the Croudace Bay Foreshore Reserve with its children's playground, shared cycleway, skate park and nearby indoor swimming facility. The proximity to such recreational facilities may assist in promoting an active lifestyle for local residents, reducing the risk of lifestyle diseases such as diabetes and obesity.

The SIA considered that no further recreational or community facilities were required based on the small scale of any proposed development on the land.

### Section D – State and Commonwealth Interests

## **10. Is there adequate public infrastructure for the planning proposal?**

The land is in close proximity to existing services and infrastructure. A public bus stop is located at the front of the land in Wyndham Way and Newcastle Buses provides a regular bus service

from Belmont to Newcastle, via the Town and Regional Centres of Warners Bay, Mount Hutton (Lake Macquarie Fair Shopping Centre), Charlestown, Kotara (Westfield Shopping Centre) and The Junction.

Water, gas, telecommunications and electricity are all available in the reserves of adjoining Wyndham Way and Stenhouse Drive, and the sewer main servicing the existing residential area traverses the land. All authorities have been consulted and have confirmed there is sufficient capacity available to support residential development on the land.

**11. What are the views of the state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

The Proposal has not previously been to Gateway for determination. Consultation has been undertaken with the following public authorities in accordance with the *EP&A Act 1979*. Agency comments and responses are also outlined in the LES. It should be noted that the comments were sought on a development proposal with greater impact than that proposed under the Planning Proposal.

DEPARTMENT OF ENVIRONMENT & CLIMATE CHANGE (Now Department of Environment Climate Change & Water) recommended the following be considered:

- Impacts on areas of native vegetation, with special reference to threatened or regionally significant flora and fauna species, populations and ecological communities. Where impacts are proposed on areas of biodiversity value, the proponent should clearly demonstrate how they propose to offset any loss in biodiversity value to meet the 'improve or maintain' threshold.
- Any potential land use conflicts associated with air, noise and odour impacts are adequately addressed, particularly in relation to premises scheduled under the POEO Act 1997.
- Proposed LEP adequately considered the relevant threatened species provisions of the EP&A Act 1979, SEPP 44 and SEPP 71, and the Native Vegetation Act.
- An appropriate level of Aboriginal cultural heritage assessment has been undertaken, and the proposed LEP is not likely to impact on areas of cultural significance to the Aboriginal community. Also important that the view of the Aboriginal community groups be sought and fully considered in regard to the preparation of the LEP.
- Potential and direct impacts on DECC estate, wilderness areas, wild rivers and recognised areas of high conservation value have been adequately considered and avoided, ameliorated or compensated as appropriate.
- Any areas of contamination of the site are identified and managed in accordance with the CLM Act 1997.
- Stormwater emanating from the area must be managed in a sustainable manner to prevent any impacts on the adjacent rivers, wetlands, or estuaries.
- If proposed LEP affects any species listed under the EPBC Act, then consultation may be required with the Australian Government Department of the Environment, Water, Heritage and the Arts.

DEPARTMENT OF WATER & ENERGY (Now Department of Environment Climate Change & Water)

- Objectives and regulatory requirements of Water Act 1912 and Water Management Act 2000 require consideration in the LEP.

- If proposal is within a gazetted Water Sharing Plan (WSP) area assessment is required to demonstrate consistency with the rules of the WSP.
- The draft LEP is required to identify groundwater issues and potential degradation to the groundwater source as a result of any proposed changes in land use; and any impacts on Groundwater Dependant Ecosystems (GDEs).
- Protection and rehabilitation of riparian lands are potential issues for inclusion in the draft LEP.
- DWE recommends the following core riparian zones (CRZ) (in their Guidelines for Controlled Activities – Riparian Corridors):
  - CRZ of 10m for any first order watercourse where there is a defined channel where water flows intermittently or permanently
  - CRZ of 20m for any permanently flowing first order watercourse, or
  - Any second order watercourse where there is a defined channel where water flows intermittently or permanently
  - CRZ of 20-40m where there is a define channel where water flows intermittently or permanently. Includes estuaries, wetlands and any parts of rivers influenced by tidal waters (merits assessment based)
  - An additional 10m vegetated buffer from the outer edge of the CRZ.
- An additional vegetation buffer of 10m should be provided on both sides of the watercourse, measured from the outer edge of the CRZ to allow edge effects.
- Assessment must address provision of a sustainable water supply for any proposed development, with minimal reliance on accessing valuable surface and groundwater resources. Through the implementation of BASIX, Integrated Water Cycle Management and Water Sensitive Urban Design, proposed development must also be able to exhibit high water use efficiency.

*Water supply, farm dams and stormwater management have been considered as part of the LES. Detailed water management will be a consideration at DA stage.*

#### DEPARTMENT OF PRIMARY INDUSTRIES- Mineral Resources

- No objection to rezoning the site.
- The lands in the Eleebana and Valentine localities are part of a current Petroleum Exploration License and are in a Declared Mine Subsidence District. As such any proposed development in the area will require referral to the Mine Subsidence Board.

#### DEPARTMENT OF PRIMARY INDUSTRIES stated:

- “The Department has concerns relating to potential overdevelopment of the site and the potential for excessive stormwater to be generated and runoff to the Lake. The document recognise existing drainage issues and there is concern that this problem will be transferred to the existing SQID’s in Halton Park, overloading and compromising their operation.”

*The Planning Proposal seeks to develop only 11% of the land.*

#### HUNTER CENTRAL RIVERS CATCHMENT MANAGEMENT AUTHORITY

- The Act allows for offsets to mitigate against the impact of clearing, these offsets can be used to demonstrate the ‘improve or maintain’ principle. The CMA is likely to object to any

proposed rezoning if it likely to result in the clearing of native vegetation and where the 'improve or maintain' principle has not been demonstrated.

- Offsets to compensate for vegetation proposed to be cleared are on a 'like for like or better' basis.

## NSW HEALTH

- A transport assessment is conducted to determine availability and access to public transport connecting residents to services and employment.
- Planning and designing the residential development should have consideration of
  - Street design that minimises distance between residential lots, neighbourhood facilities and the emerging regional centre
  - Provision of safe and convenient footpaths and cycleways for residents to access nearby facilities and the emerging regional centre through active transport
  - Consideration of Crime Prevention Through Environmental Design (CPTED) principles in regard to the positioning of and connectivity to open space
  - Retention of existing trees to enhance visual environment and to provide shading
- Consideration be given to linkages within the proposed residential area and to surrounding communities to promote internal and external connectivity
- Consideration of the availability of affordable/healthy food within the proposed neighbourhood shopping centre
- Consideration of current community members views.
- Ensure there is minimal impact on water quality of natural waterways, particularly from stormwater runoff

*The Water Management Report has identified suitable stormwater management options to ensure protection of the waterways on the site.*

- Noise issues from proposed neighbourhood centre are addressed
- Best practice design principles for energy, water saving strategies and grey water re-use are incorporated.

*Detailed design in terms of subdivision layout, energy and water saving strategies will be addressed at DA stage. A neighbourhood centre is not being sought on the land under the Planning Proposal.*

## HUNTER WATER

- Confirmed there is sufficient capacity in the water and wastewater networks for this development.
- Initially requested draft reticulation plans and advised the sewer main may have to be located.
- Update advise sought in October 2011 confirmed that reticulation plans and relocation of sewer main are not required

## RURAL FIRE SERVICE

- Retention of vegetation within the site in the form of conservation areas may retain the bushfire risk and the appropriate bush fire protection measures for residential development will be required commensurate with the hazard.

## ROADS AND TRAFFIC AUTHORITY

- Traffic study to be prepared in accordance with RTA *Guide to Traffic Generating Developments* and include
  - All relevant traffic routes and intersections for access to / from the subject area.
  - Current traffic counts for all of the above traffic routes and intersections.
  - The anticipated additional vehicular traffic generated from the proposed development.
  - Consideration of the traffic impacts on the existing intersections and the capacity of the intersections to safely and efficiently cater for the additional vehicular traffic generated.
  - Traffic analysis including current traffic counts and 10 year traffic growth projections; with and without development scenarios; 95<sup>th</sup> percentile back of queue lengths; delays and level of service on all legs for the relevant intersections; use of SIDRA or similar traffic model; and electronic input/output data files for RTA review.
  - A master plan should be included which indicates staging of the works, if applicable, and thresholds for any implementation of state road works.

*Staging of works will not be applicable due to the small number of residential lots being created*

*Assessment was undertaken on a potential yield of 48 lots and it was found that the traffic generated will remain within acceptable limits. A far lesser lot yield than that assessed is being sought and this will substantially reduce the number of vehicle movements generated from the development.*

## MINE SUBSIDENCE BOARD

- The MSB have no objection to the proposed rezoning but asks that appropriate consent be sought for the subdivision and any subsequent dwelling construction.

# Part 4 - Mapping

## Aerial map



14/05/2008 Project : 2008/1101

### 113 Wyndham Way Eleebana

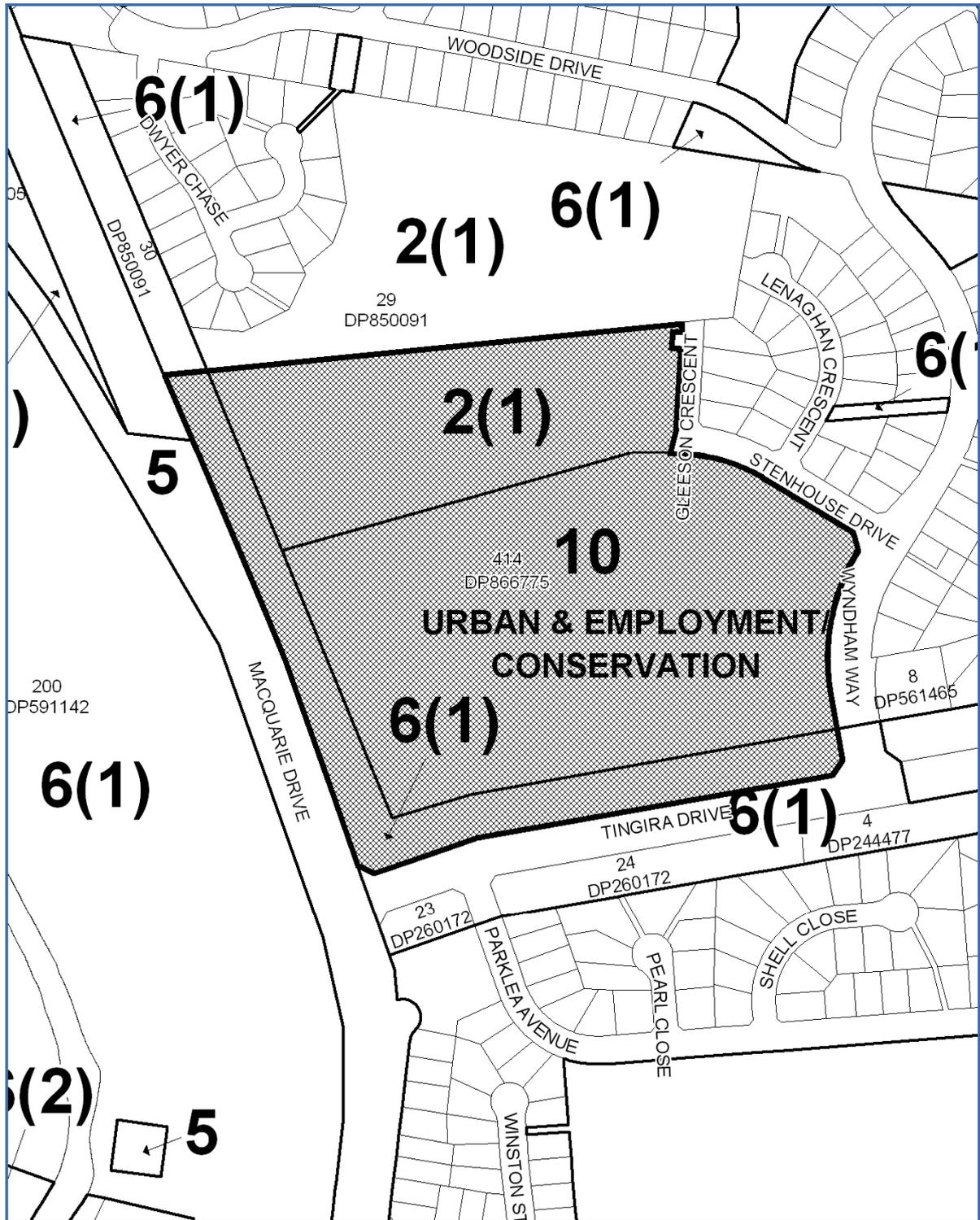


SKM AusImage 2007 Aerial Photography  
Produced by Integrated Planning



SCALE 1 : 4,000

**Current Zoning Map**



14/05/2008 Project: 2008/1101



**Existing Zones under LM LEP2004**

**113 Wyndham Way Eleebana**

Produced by Integrated Planning

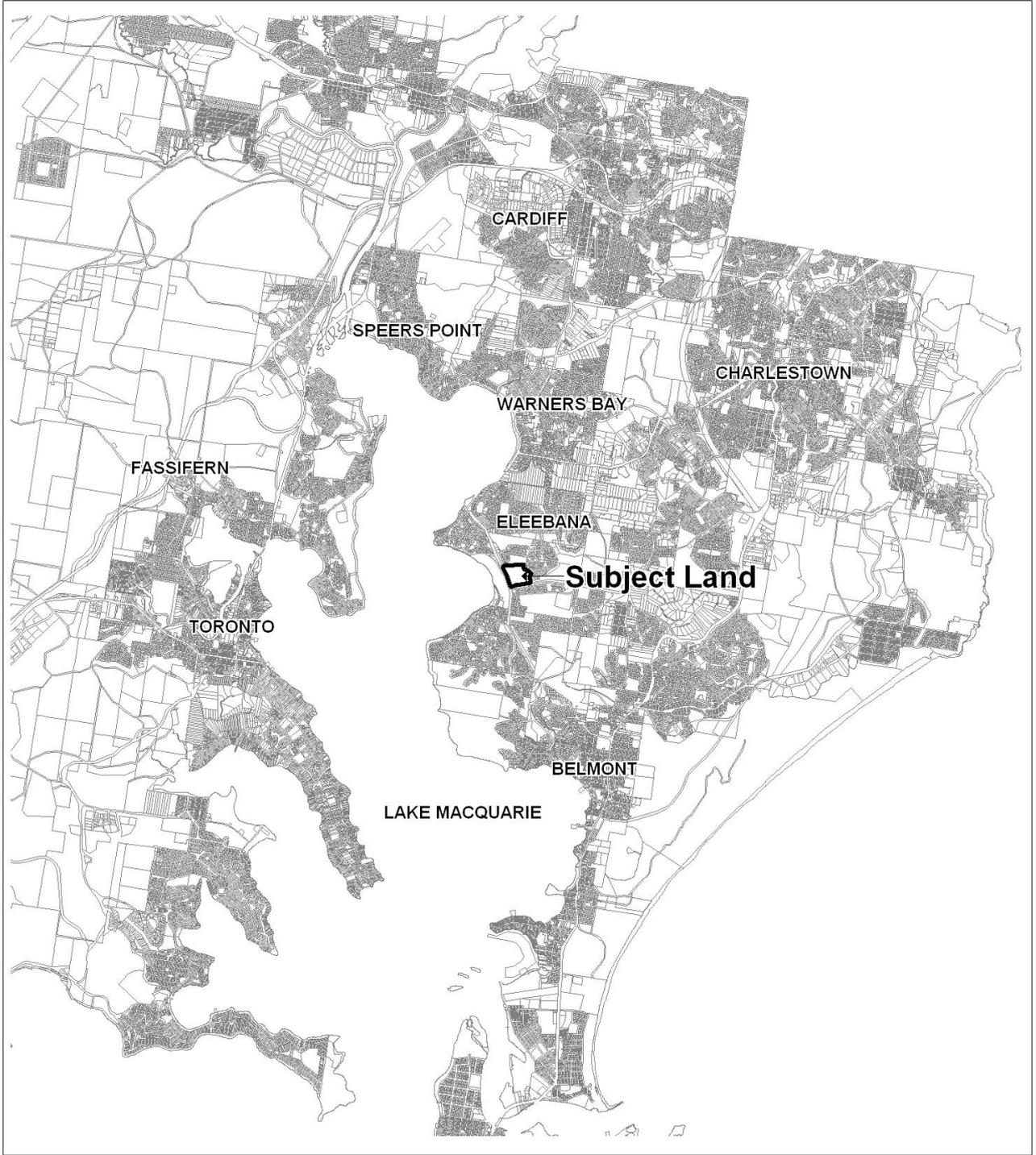


**SUBJECT LAND**



**SCALE 1 :4,000**

# Locality Map



Locality: Eleebana

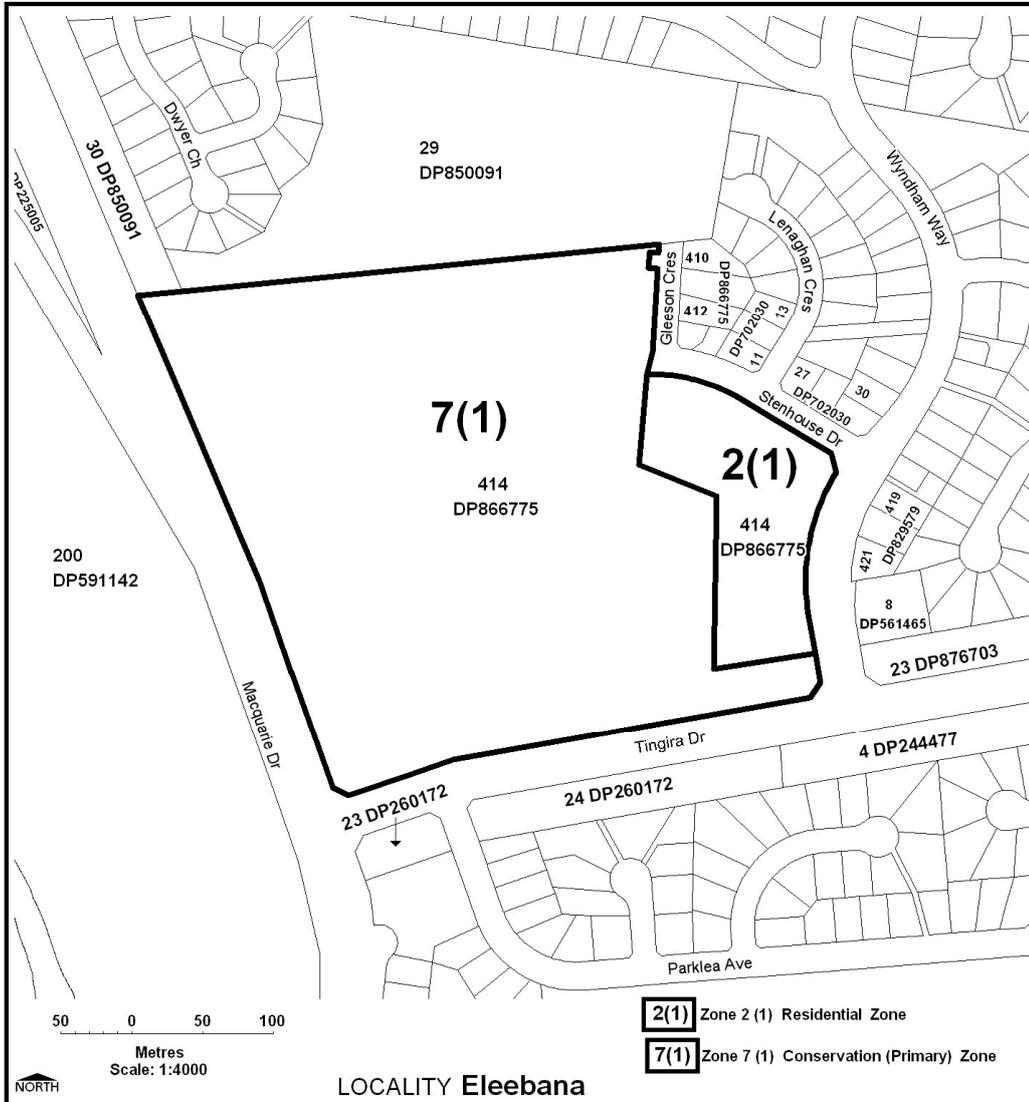
 Subject Land



Produced by Integrated Planning  
Project: DraftAmend 64 01/02/2012



# Proposed Zones



ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979		CITY OF LAKE MACQUARIE		SHEET 1 of 1	
No Window		LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2004 (DRAFT AMENDMENT NO 64)			
DRAWN BY J.B.	DATE 01/02/2012	STATEMENT OF RELATIONSHIP WITH OTHER PLANS AMENDS THE LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2004			
PLANNING OFFICER L.L.		CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS.			
FILE NO. COUNCIL XXXXXXX	DEPT. of PLANNING XXXXXXX	GENERAL MANAGER		DATE	
CERTIFICATE ISSUED UNDER SEC. 65 EPA ACT	DATE dd/mm/yyyy	PUBLISHED ON NSW LEGISLATION WEBSITE ON			

## **Part 5 – Community Consultation**

Council proposes that the planning proposal be exhibited consistent with the requirements of section 57 of the Environmental Planning and Assessment Act 1979 (EP & A Act) and section 29 of the Local Government Act 1993 and/or any other requirements as determined by the Gateway under section 56 of the EP & A Act.

No community consultation has been undertaken to date. Subject to the Gateway determination, it is proposed that a 28 day exhibition be undertaken as the Planning Proposal does not fit the definition of “low impact proposal”.

It is not proposed to conduct a public hearing.

## **Part 6 – project timeline**

July 2013	Anticipated commencement date (Gateway determination)
Aug 2013	Anticipated timeframe for the completion of required technical information
Aug 2013	Government agency consultation
Aug 2013	Public exhibition period
N/a	Public hearing
Sept 2013	Consideration of submissions
Sept/Oct 2013	Consideration of proposal post exhibition
Nov/Dec 2013	Submission to Department to finalise the LEP