

F3 Service Centre South - Cooranbong

Proposal Title : **F3 Service Centre South - Cooranbong**

Proposal Summary : **To enable the establishment of a highway service centre for the south bound lanes of the F3 Freeway at Cooranbong.**

PP Number : **PP_2012_LAKEM_006_00** Dop File No : **10/17732**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :
1.2 Rural Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
2.4 Recreation Vehicle Areas
3.2 Caravan Parks and Manufactured Home Estates
4.2 Mine Subsidence and Unstable Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions

Additional Information : **Support the PP.**

- 1. 28 Day consultation including targetted consultation with the agency listed.**
- 2. Exhibition shall include maps for building heights and additional permitted uses for conversion to the Principal Plan.**

Supporting Reasons : **Previous PP (PP_2010_LAKEM_004_00) was not supported at Gateway due to lack of certainty regarding access on the F3. These access issues have been resolved.**

The need for the PP is supported and the use of an enabling clause as the LEP mechanism to deliver this outcome is supported in this instance. Other options for zoning the land and inserting "Highway service centre" as a permissible use in the existing rural zone were considered. There is a risk in using these other land use mechanisms that inappropriate development will occur along the F3 and more importantly, along the Pacific Highway on the Eastern side of Lake Macquarie. RMS advised that the Pacific Highway along this section does not have have the same RTA licencing protections for service centres as the F3, hence they do not have the same location controls. RMS only have a concurrence role regarding access requirements. (see RMS e-mail 10.8.12 attached).

This approach is consistent with other LEP provisions for Highway Service Centres on the North Coast of NSW. Whilst the November 2009 117 Direction 5.4 (6) does not apply to this site, the intent of the Direction is to provide approval for service centres in very specific locations to ensure the aims of the Direction are achieved (Highway efficiency and safety, ribbon development, reinforce the role of existing centres etc).

Panel Recommendation

Recommendation Date : **16-Aug-2012**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. It is noted that Council has identified that additional information regarding Aboriginal heritage, land contamination and geotechnical assessment, noise and vibration and**

flooding and hydrology is to be provided to support the planning proposal. Council is to include this information as part of the public exhibition material.

2. Prior to placing the planning proposal on public exhibition, Council is to update the planning proposal to include proposed height of buildings and additional permitted uses maps for the site under the draft Lake Macquarie LEP 2012. The maps should clearly identify the subject site and are to be placed on public exhibition with the planning proposal.

3. Council is to consult with the Mine Subsidence Board in accordance with Section 117 Direction 4.2 Mine Subsidence and Unstable Land and amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

4. Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

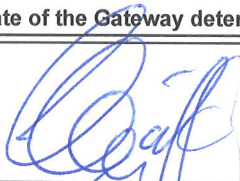
- NSW Rural Fire Service
- Office of Environment and Heritage
- Department of Primary Industries (Minerals and Petroleum)
- Hunter Water Corporation
- Mine Subsidence Board
- Transport for NSW (Roads and Maritime Services)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

8. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

21.8.12