

Planning Proposal

Land at Cameron Park

Local Government Area	Lake Macquarie City
Name of Draft LEP:	Lake Macquarie Local Environmental Plan 2004 (Cameron Park)
Subject Land:	Part of: Lots 301, 311, 312, 317, 318, 319, 320, 326, 327, 328, 329, 336 DP 1089554 Lot 3 DP 1128456 Lot 1 DP 1113107 Lot 206 DP 1070348
Maps:	Attachment 1 – Subject Land Attachment 2 – Proposed Zone Boundary Adjustment.

Part 1 – Objective of the Planning Proposal

To amend a mapping discrepancy where zone boundaries do not correspond with lot boundaries (fence lines) in respect to land at Cameron Park Drive, Billbrooke Close, and Stenhouse Drive, Cameron Park.

Part 2 – Explanation of the Provisions

The Proposal will correct a discrepancy in Lake Macquarie Local Environmental Plan 2004 (LMLEP 2004) to ensure the 7(2) Conservation (Secondary), 4(1) Industrial (Core) and 5 Infrastructure zone boundaries align with cadastre lot boundaries in the subject land, refer to Attachment 1.

Part 3 – Justification for the Provisions

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

The Planning Proposal is not the result of a strategic study or report. The objective of the Planning Proposal is to correct a discrepancy in Lake Macquarie Local Environmental Plan 2004 (LMLEP 2004) to ensure the 7(2) Conservation (Secondary), 4(1) Industrial (Core) and 5 Infrastructure zone boundaries align with lot boundaries in the subject land, refer to Attachment 1.

Historically, the subject land and surrounds were zoned 1(a) Rural 'A' under LMLEP 1984. The land was rezoned to 7(a) Environment Protection (Scenic) and 4(a) General Industry pursuant to LMLEP 1984 (Amendment No. 152) on 21 July 1999. These zones were transferred to LMLEP 2004 with the 7(a) zone becoming 7(2) Conservation (Secondary), and the 4(a) zone becoming 4(1) Industrial (Core). The current zone boundaries reflect amendment No. 152 to LMLEP 1984.

The lots within Cameron Park Industrial Estate were created by subdivision in 2006. The subdivision certificate was issued on 16 February 2006 and the plan was registered on 2 May 2006. The lots in the registered plan did not fully align with the zone boundaries. The reason for the subdivision lot boundaries being misaligned with the zoning boundaries is unknown, although the differences involve narrow strips of land. Following the issue of the subdivision certificate in 2006, the vegetation along the boundaries of the industrial lots was cleared to enable fences to be constructed. Consequently, the land zoned 7(2) no longer

contains any native vegetation. Road widening at the intersection with Cameron Park Drive has also resulted in a mismatch between the 5 Infrastructure zone boundary and the road corridor.

The proposed amendment will result in approximately 0.13ha of land being rezoned 7(2) Conservation, 0.11ha of land being rezoned 4(1) Industrial (Core), and 0.90ha of land being rezoned 5 Infrastructure. The maximum extent of the boundary misalignment is 20.5m and relates to Lot 327 DP 1089554.

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

The Planning Proposal involves minor amendments to zoning boundaries in the subject land. An amendment of LMLEP 2004 under section 73A of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) is considered the most appropriate way to proceed with these amendments. Section 73A relates to minor amendments of environmental planning instruments, which may be expedited in certain circumstances. The proposed amendment will not result in any significant adverse impacts on the environment or adjoining land, consistent with clause 73A(c).

3. Is there a net community benefit?

The discrepancy between zoning boundaries and cadastre has resulted in various lots within the subject land having split zoning, which in turn limits their development potential and creates inefficiencies in the development assessment process. The proposed amendment to LMLEP 2004 will enable appropriate use of the subject land.

4. 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 is consistent with the provision of the Lower Hunter Regional Strategy 2006 relating to employment land in that it seeks to correct a minor zoning discrepancy to enable appropriate use of the subject land for employment purposes.

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

Council's Lifestyle 2020 Strategy provides the long term direction for the overall development of the City and is a tool for managing private and public development in Lake Macquarie. The preparation of the draft amendment for the subject land is consistent with the aim of Lifestyle 2020 in relation to reinforcing and strengthening Centres. The zone boundary adjustment would strengthen the industrial estate at Cameron Park by enabling efficient use of the subject land for development that is accessible to public and private transport and close to existing infrastructure.

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

The planning proposal is consistent with the following relevant State Legislation. The proposal aims to correct a minor zoning discrepancy to enable efficient and appropriate use of the subject land.

SEPP	Relevance	Consistency	
SEPP 19 – Bushland in Urban Areas	Aims to prioritise the conservation of bushland in urban	Yes	There will be no potential for loss of vegetation as a result of the

SEPP	Relevance	Consistency	
	areas, and requires consideration of aims in preparing a draft amendment.		zone boundary adjustment.
SEPP 55 – Remediation of Land	Establishes planning controls and provisions for the remediation of contaminated land.	Yes	The requirement for a contamination study will be undertaken if directed by the DoP under the provisions of the EP&A Act 1979.
SEPP (Infrastructure) 2007	Aims to more efficiently facilitate the delivery of infrastructure through the establishment of consistent planning provisions for infrastructure and services. The proposed amendment includes an adjustment of the 5 Infrastructure Zone boundary at the intersection of Stenhouse Drive and Cameron Park Drive.	Yes	The rezoning proposal is minor in nature and does not warrant changes to the delivery of infrastructure to the area. Reticulated water and sewer is available to the site.
Draft SEPP 66 – Integration of Land Use and Transport	Requires a draft amendment to further the aims and objectives of the policy, which include reducing travel distances, and the reliance on vehicles, as well as ensuring sufficient access to services and facilities.	Yes	The subject land is adequately serviced by existing national and regional road networks. The draft LEP will not require changes in the delivery of infrastructure to the area.

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

The planning proposal is consistent with the following relevant Ministerial Directions. The proposal aims to correct a minor zoning discrepancy to enable efficient and appropriate use of the subject land.

Ministerial Direction	Relevance	Consistency	Implications
1.1 – Business and Industrial Zones	The direction aims to encourage employment growth, protect employment land in business and industrial zones and support the viability of strategic centres.	Yes	Future development associated with the subject land would strengthen the industrial estate at Cameron Park by enabling efficient and appropriate use of the land.

Ministerial Direction	Relevance	Consistency	Implications
1.3 – Mining, Petroleum and Extractive Industries	The direction requires consultation with the Director-General of the Department of Primary Industries where a draft LEP will restrict extractive resource operations.	Yes	Future uses would not prohibit mining or restrict development of resources.
2.1 – Environmental Protection Zones	The direction requires that a draft LEP contain provisions to facilitate the protection of environmentally sensitive land	Yes	The draft LEP will conserve vegetated land deemed environmentally valuable. There will be no potential for loss of vegetation as a result of the zone boundary adjustment.
2.3 – Heritage Conservation	The direction requires that a draft LEP include provisions to facilitate the protection and conservation of aboriginal and European heritage items	Yes	No known Aboriginal or European heritage items have been identified within the subject land.
2.4 – Recreation Vehicle Areas	The direction restricts a draft LEP from enabling land to be developed for a recreation vehicle area.	Yes	The site is not proposed as a recreation vehicle area.
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.	Yes	The proposal will not affect provisions relating to Caravan Parks or 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.	Yes	The amendment will not affect provisions relating to home occupations, and will retain the provisions of the principal LEP in this regard.
3.4 – Integrating Land Use and Transport	The direction requires consistency with State policy in terms of positioning of urban land use zones.	Yes	The land is well positioned to maximise its accessibility to transport networks including the F3 Freeway and local roads, adjoining industrial and residential zones, and the West Wallsend town Centre.

Ministerial Direction	Relevance	Consistency	Implications
4.2 – Mine Subsidence and Unstable Land	The direction requires consultation with the Mine Subsidence Board where a draft LEP is proposed for land within a mine subsidence district.	Yes	Consultation with the Mines Subsidence Board will be undertaken if directed by the DoP under the EP&A Act 1979.
4.4 – Planning for Bushfire Protection	The direction 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.	Yes	The site contains land identified as bushfire prone, and Asset Protection Zones may be required. Consultation with the Rural Fire Service will be undertaken if directed by the DoP under the EP&A Act 1979.
5.1 – Implementation of Regional Strategies	The direction requires a draft amendment to be consistent with the relevant State strategy that applies to the Local Government Area.	Yes	The draft amendment is consistent with the strategic direction set by the Lower Hunter Regional Strategy.
6.1 – Approval and Referral Requirements	The direction prevents a draft amendment from requiring concurrence from, or referral to, the Minister or a public authority.	Yes	The draft amendment will be consistent with this requirement.
6.2 – Reserving Land for Public Purposes	The direction prevents a draft LEP from altering available land for public use.	Yes	Public use of the land is not proposed.

8. 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?

There will be no potential for loss of vegetation deemed environmentally valuable as a result of the zone boundary adjustment. No known critical habitat or threatened species, populations or ecological communities will be adversely affected.

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

No environmental effects are anticipated as a result of the zone boundary adjustment.

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

Future development associated with the subject land will strengthen the industrial estate at Cameron Park by enabling the efficient and appropriate use of land.

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

The rezoning proposal is minor in nature and does not warrant changes to the delivery of infrastructure to the area.

12. 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 if directed by the DoP.

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 42 days.