

Lake Macquarie LEP 2004 Draft Amendment No.77 13A Main Road,

Proposal Title : Lake Macquarie LEP 2004 Draft Amendment No.77 13A Main Road,

Proposal Summary : This proposal seeks to rationalise zone boundaries to those of a new road and lot boundaries following roundabout construction on part of the former Pasminco Cockle Creek Smelter site, corner of Main Road and Munibung Road, Boolaroo

PP Number : PP_2013_LAKEM_004_00 Dop File No : 13/ 08528

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.2 Mine Subsidence and Unstable Land
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

Additional Information : That the Planning Proposal proceed through the Gateway subject to conditions:

- 1)The planning proposal and amended maps be exhibited for a period of 14 days
- 2)The planning proposal be referred to Transport for NSW (Roads and Maritime Services)

Supporting Reasons :

- 1) To ensure the exhibition period is commensurate with the low impact and limited extent of the planning proposal
- 2)To ensure that appropriate provision is made for regional road management and maintenance in light of the changed zonings around the intersection.

Panel Recommendation

Recommendation Date : 31-May-2013 Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the project timeline within the planning proposal to include key dates, consistent with the requirements of Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals.
2. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013) and must be made publicly available for a minimum of 14 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

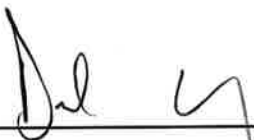
- Transport for NSW – Roads and Maritime Services
- Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. 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).

5. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

DANIEL KEARNEY

Date:

5/6/13