

Fullerton Cove Local Retail Centre

Proposal Title : **Fullerton Cove Local Retail Centre**

Proposal Summary : **It is proposed to rezone land at Fullerton Cove from rural to a business zone. The rezoning is intended to create a new local centre and development of the site for a 4,670m² retail centre and associated car parking. The subject site is situated in the Watagans to Stockton Green Corridor.**

PP Number : **PP_2013_PORTS_006_00**

Dop File No : **13/12522**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions :

- 1.1 Business and Industrial Zones**
- 1.2 Rural Zones**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 1.4 Oyster Aquaculture**
- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.2 Coastal Protection**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**

Additional Information : **It is recommended that the proposal does not proceed.**

Supporting Reasons : **The proposal is not supported as it:**

***Is inconsistent with the strategic framework.**

***Has not demonstrated that the site has site- specific merit and is capable of being developed as proposed.**

Furthermore, the proposal is considered inadequate as it has not addressed inconsistencies with the relevant SEPP's and Section 117 Directions, nor responded to previous advice from Office of Environment and Heritage regarding concerns about vegetation clearance and flood mitigation.

Council's resolution to proceed with the Planning Proposal subject to the proponent investigating biodiversity offsets following a Gateway Determination, reiterates concerns regarding the vegetation clearance. However it is considered that there is no evidence currently available that demonstrates that this offset can be secured and further work on this matter, and the ability to address the other site constraints, is required prior to a Gateway Determination being issued.

Panel Recommendation

Recommendation Date : **22-Aug-2013**

Gateway Recommendation : **Rejected**

Panel Recommendation : **The planning proposal should not proceed for the following reasons:**

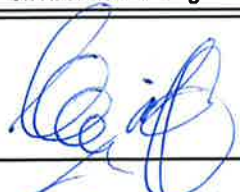
1. The planning proposal as submitted does not sufficiently demonstrate that the subject land is suitable for development, given the land contains class 2 acid sulphate soils, endangered ecological communities, is flood prone and in close proximity to oyster aquaculture and the Hunter Wetlands National Park and may compromise any future proposal to rehabilitate the Fullerton Cove wetlands.

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2. The planning proposal does not sufficiently demonstrate that there will be a net economic or community benefit to rezoning the subject land for business purposes and does not give full consideration to the impact of the proposal on existing centres, including the commercial zoned land at Seaside Village.

3. The planning proposal is inconsistent with the Lower Hunter Regional Strategy and various applicable S117 Directions because it proposes to rezone land for business purposes that is located outside of a commercial centre, with limited access to public transport, and the site is identified within the Watagan to Stockton Green Corridor, due to its environmental significance.

Signature:



Printed Name:

Neil McGaffin

Date:

29.8.13