

Susan Blake - Ausgrid Planning Proposal regarding additional permitted use & ROW details

From: "Trevor Prior" <tprior@lakemac.nsw.gov.au>
To: "Susan Blake" <Susan.Blake@planning.nsw.gov.au>
Date: 21/11/2011 1:33 PM
Subject: Ausgrid Planning Proposal regarding additional permitted use & ROW details
CC: "Sharon Pope" <slpope@lakemac.nsw.gov.au>

Hi Susan,

I refer to your email of 17 November 2011, and answers to each of your questions below. However, it is important that DA matters don't get confused with rezoning matters, and that a clear distinction is maintained on what is a 'local' matter, and what are matters of 'regional' or 'State' significance. I appreciate that you are trying to cover everything for Gateway, but I am strongly of the view that this Planning Proposal is very much a 'local' matter, with no 'regional' or 'State' issues involved (given Ausgrid is supportive). Additionally, much of the justification requested are clearly DA matters, and not rezoning matters.

1. **Potential future land uses/intensification.** As indicated previously, LMCC has initiated this Planning Proposal to remove its acquisition obligations from the land, and not because of any development proposal or aspirations by Ausgrid. As further indicated under "3.4 Integrating Land Use and Transport" (in my letter of 9 November 2011), *"The 6(2) zone, in this case, reflects the existing recreation and tourism use of the subject land for sport, camping, boating, functions, and holidaying purposes."* It is because of the existing use of the land that the 6(2) is both appropriate and justified.

It is acknowledged that the 6(2) zone permits a number of additional land uses which are not permitted in the current 6(1) zone. Council considers that each of the additional uses are appropriate for the 6(2) zone. However, whether they are appropriate for this particular site is a DA matter for Council's determination should an application be ever submitted for such uses. In regard to each additional use, I advise briefly as follows:

- **Backpackers accommodation.** It is very unlikely that Ausgrid would ever consider such development, as the site is essentially reserved for use by Ausgrid and its employees. Although Bargoed House has traditionally been used for holiday accommodation by electricity employees, any intensification of the site for holiday accommodation would require significant justification on environmental and servicing grounds.
- **Eco-tourism facilities.** This form of development is even permitted in the 7(2) Conservation (Secondary) zone, and some forms of this 'tourist accommodation or recreation' use already exist on the site e.g. camping/caravan sites, sporting oval etc. A principal requirement for this form of development is that it *"not have a deleterious effect on the ecology of its location."* However, any DA for such a use would also need to be justified on servicing grounds.
- **Function centres.** Bargoed House is already used for Ausgrid training and conference purposes. However, any DA for additional such uses would require justification on environmental and servicing grounds.
- **Hotel or motel accommodation.** Again its very unlikely that Ausgrid would contemplate such a use on this site. However, any such proposal would similarly have to be justified on environmental and servicing grounds.
- **Manufactured home estates.** While not identified as a permitted use in the existing 6(1) Open Space Zone, MHEs are permitted in the existing 6(1) zone, because the MHE SEPP allows MHEs on land which permits 'caravan parks' (which the 6(1) zone permits). Notwithstanding, such a DA would also require justification on environmental and servicing grounds.
- **Pubs.** As for *backpackers accommodation* and *hotel and motel accommodation*.
- **Serviced apartments.** As for *backpackers accommodation* and *hotel and motel accommodation*.

- **Tourist resorts.** As for *backpackers accommodation* and *hotel and motel accommodation*.

2. **Description of Proposed ROW.** Annexure 3 to the MOU, shows the general area of the site, over which a ROW will be agreed. Clause 7.2 of the MOU describes the ROW as providing access from the "land's eastern boundary in proximity to the Land's access road, to the Land's southern boundary in proximity to the foreshore of Lake Macquarie." This is a distance of approximately 750 metres. The clause further describes the ROW as being "no greater than 6 metres wide". This would result in a ROW area of approx 4,500 sm. However, any pathway, within the ROW, would generally be no greater than 3m wide, and would meander within the ROW to minimise vegetation disturbance.

I trust that the above information assists you in finalising this matter.

Regards

Trevor

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From: Susan Blake [<mailto:Susan.Blake@planning.nsw.gov.au>]

Sent: Thursday, 17 November 2011 12:48 PM

To: Trevor Prior

Cc: Monica Gibson

Subject: 2011.11.17 Ausgrid Planning Proposal regarding additional permitted use & ROW details

Hi Trevor

Thank you for the information, it has provided assistance in relation to many aspects of the Planning Proposal. I am preparing the draft assessment for the Gateway Panel.

However, further discussion is required in regards to your statement that the rezoning has nothing to do with proposed future development of the proposed 6(2) land owned by Ausgrid.

As part of the Planning Proposal, consideration must be given to potential future land uses and potential any intensification within the zone. I note the additional land uses in the 6(2) Tourism and Recreation zone permitted with consent, eg. eco-tourism facility, hotel and motel accommodation, tourist resorts.

Given the location, cleared spaces and existing facility and uses on the site, it is appropriate that Council consider whether these additional land uses are appropriate in the zone, and that Council is comfortable with those uses being permitted in the zone. A summary of Council's position on this matter is appreciated.

It is also noted in Annexure 3, p.133 of the MOU the ROW is shown. Could you provide a description of the easement in terms of approximate area, length and width of the ROW.

Council's consideration of these matters is appreciated.

Regards

Susan Blake - Planning Officer

Hunter & Central Coast Regional Office

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