

Planning Proposal

Amendment to Lake Macquarie Local Environmental Plan 2004

Rezoning of Land at Transfield Avenue Edgeworth

Local Government Area: Lake Macquarie

Name of Draft LEP: Lake Macquarie Local Environmental Plan 2004 (Amendment No 59)

Part 1 – Objective of the Planning Proposal

The objective of the Planning Proposal is to amend *Lake Macquarie Local Environmental Plan 2004* (LMLEP 2004) to rezone the subject land from 10 Investigation Zone and 5 Infrastructure Zone to 2(1) Residential Zone and 7(1) Conservation (Primary) Zone in accordance with the attached map (Figure 3). The proposed 2(1) Residential Zone and 7(1) Conservation (Primary) Zone will become R2 Low Density Residential and E2 Environmental Conservation zones respectively under the new standard Citywide LEP.

Part 2 – Explanation of the Provisions

The amendment proposes the following changes to the LMLEP 2004 map and instrument:

Amendment Applies To	Explanation of the Provision
Map	It is proposed that the subject land, comprising Lot 1 DP 900356, Lot 1 DP 900357, Lot 111 DP 665948, Lot 1 DP 921714, Lot 1 DP 921545, Lot 27 DP 202567, Lots 1 and 2 DP 250063, Transfield Avenue, Edgeworth will be rezoned from 10 Investigation Zone and 5 Infrastructure Zone to 2(1) Residential Zone and 7(1) Conservation (Primary) Zone.
Schedule 8 land subject to special development requirements	It is proposed that the subject land will be added as an additional item to Schedule 8, with a requirement that a site specific development control plan be prepared and adopted by Council prior to subdivision of the land. The development control plan is to address traffic and transport infrastructure, including provision for an arterial road linking Frederick Street with Minmi Road Edgeworth, remediation of contaminated land, management of stormwater, flooding, and water quality, as well as habitat corridors.

Part 3 – Justification for the Provisions

A. Need for the planning proposal

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

The subject land is zoned 10 Investigation Zone under LMLEP 2004, which is an interim zone pending further site investigations to determine the preferred land use. A comprehensive Local Environmental Study (LES) has been completed for the site, which considered a range of land use opportunities and constraints, and led to the recommended zone distribution applied to the amendment proposal.

The release of the subject land for urban development is consistent with the Lower Hunter Regional Strategy (LHRS), and the Newcastle – Lake Macquarie Western Corridor Planning Strategy, which identify the site as proposed urban land and an urban investigation area

respectively. The proposal is also consistent with Council's Lifestyle 2020 Strategy, which identifies the site for urban use.

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

An amendment to LMLEP 2004 is the most appropriate mechanism for rezoning the subject land and enabling the site to be developed in accordance with the Planning Proposal.

LEP Pro-forma Evaluation Criteria Category 1: Spot Rezoning LEP

1.	Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	The subject land is identified in the LHRS as proposed urban land. The site is approximately 800m from the Edgeworth town centre and the Main Road urban renewal corridor identified in the LHRS. The site is also approximately 2.2km from the Glendale retail centre, which contains a bus interchange. A new train station and transport interchange is also proposed for Glendale.
2.	Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	The proposed rezoning of land is consistent with the SEPPs and Ministerial Directions as shown in section B3 of this report.
3.	Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?	The subject land is located close to the Glendale/Cardiff emerging major regional centre, as well as the Main Road urban renewal corridor, which extends from Glendale to Edgeworth.
4.	Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The LES indicates that development of the site will result in economic stimulus to the local economy of \$80 million. The rezoning will also provide an increased population catchment for local businesses and contribute to urban renewal.
5.	Will the LEP be compatible/complementary with surrounding land uses?	The site has residential development to the south and west, and a Major Project is currently being considered by DoPI land owned by Coal and Allied, immediately to the north. In this respect, the proposal is consistent with surrounding land uses.
6.	Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	The subject land is zoned 10 Investigation and is positioned within close proximity to a range of services and facilities. The proposal is well justified, and is not likely to create a precedent or change expectations of other landholders.
7.	Will the LEP deal with a deferred matter in an existing LEP?	No.
8.	Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Other land in the vicinity with rezoning potential are classified as a State Significant Site (Coal and Allied), or will be the subject of another precinct level rezoning process (Xstrata).

3. Is there a net community benefit?

The proposal will provide additional land for housing to meet the demand of a growing regional population. Given the location of the site and the accessibility provided by the location to a range of services and facilities, the proposal will deliver a net community benefit. A Net Community Benefit Test has been undertaken and is provided below:

Net Community Benefit Test

Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The subject land is identified in the LHRS as future urban land. The site is approximately 800m from the Edgeworth town centre and identified Main Road urban renewal corridor. The site is also approximately 2.2km from the Glendale retail centre, which contains a bus interchange. A new train station and transport interchange is also proposed.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes – see above.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No – see above.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes – acceptable – see above.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The rezoning will provide an increased population catchment for local businesses and contribute to urban renewal.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The proposal will deliver additional land for housing within close proximity to services and facilities, as well as employment opportunities that are provided by the nearby Edgeworth town centre and the emerging major regional centre at Glendale/Cardiff. The site is also close to open space, schools, and Glendale TAFE.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?	The subject land is positioned immediately adjacent to existing residential development, however, some upgrades to infrastructure will be necessary to support development of the site. The site specific development control plan to be prepared for the site will enable the precise location of the proposed arterial road to be determined. The proposed road is planned to link Frederick Street with Minmi Road, Edgeworth. This road will enable buses to gain better access to residential areas, and provide improved traffic flow in the area.
Will the proposal result in changes to the car distances travelled by customers,	The close proximity of the site to an emerging major regional centre, and public transport,

employees, and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs, and road safety?	allows people to minimise the impact of travel by private vehicle.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	There are no known Government investments or infrastructure in the area that will be affected by the proposal.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	Development of the site will lead to a loss of vegetation, however, riparian corridors have been included in a conservation zone. The land has been identified as a proposed urban area in the LHRS and residential investigation area in the Newcastle-Lake Macquarie Western Corridor Planning Strategy.
Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Part of the subject land is currently used as a knackery, which generates complaints to Council. The rezoning will provide for residential development that is more sympathetic to the surrounding, predominantly low-density, residential land use.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposed residential land release will provide a greater population catchment, which will support business growth.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The proposal will deliver additional land for housing with a high level of accessibility to a range of services and facilities, and will support nearby centres and the Main Rd renewal corridor.

B. Relationship to strategic planning framework

1. 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 LHRS indicates an expected population of 160,000 people by 2031. The subject land is identified as proposed urban land and a residential investigation area in the LHRS and Newcastle – Lake Macquarie Western Corridor Planning Strategy respectively. The site will accommodate housing for population growth in the region, with approximately 300 new residential lots possible. New housing in this location will support the Edgeworth town centre, emerging major regional centre at Glendale/Cardiff, and the proposed transport hub at Glendale, as well as the urban renewal corridor extending along Main Road, Edgeworth.

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

The following assessment of the proposal has been undertaken against the Strategic Directions of Council's Lifestyle 2020 Strategy:

A City Responsive to its Environment

The rezoning is likely to result in a loss of vegetation on the site as development for residential purposes occurs, however, the site is strategically well located, with access to services and facilities, and development will contribute to the nearby Edgeworth town centre, Glendale/Cardiff emerging major regional centre, and the Main Road urban renewal corridor. This is consistent with providing housing near centres to reduce travel distances, and to use infrastructure efficiently. This approach also reduces the pressure to release land on the urban fringe, which would result in larger infrastructure delivery costs and greater motor vehicle dependence.

A Well-Serviced and Equitable City

The subject land adjoins existing residential development and is located within close proximity of services and facilities, as well as employment opportunities that are provided by the nearby Edgeworth town centre and the emerging major regional centre at Glendale/Cardiff. The site is also close to open space, Schools, and Glendale TAFE.

A Well-Designed and Liveable City

The proposed rezoning of land is an extension of the existing urban environment. The site specific DCP required for the site will ensure that subdivision design provides connectivity and will support public transport, as well as encouraging walking and cycling to nearby services and facilities. A detailed LES has been undertaken to identify the appropriate distribution of land use zones on the site.

A City of Progress and Prosperity

Existing services and facilities at Edgeworth and Glendale/Cardiff will support the establishment of additional residential development, and the additional population will provide an economic contribution to these centres, and to the identified Main Road renewal corridor.

An Easily Accessible City

The proximity of the subject land to services and facilities will minimise vehicle dependence. Infrastructure is in place in the adjoining established residential area to support access to nearby centres, and this is likely to be improved further as development occurs.

3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment has been undertaken to determine the level of consistency the proposal has with relevant State Environmental Planning Policies (SEPPs). The assessment is provided below:

SEPP	Relevance	Implications
SEPP 19 – Bushland in Urban Areas	Aims to prioritise the conservation of bushland in urban areas, and requires consideration of aims in preparing a draft amendment.	Development of the site will lead to a loss of vegetation in the proposed residential area, however, development of this well serviced site is likely to reduce pressure to develop less appropriate land further from services and facilities. Riparian corridors will be maintained in a conservation zone.
SEPP 44 – Koala Habitat Protection	Requires measures be implemented where koala habitat or potential koala	Detailed investigations did not identify koala habitat on the subject land.

SEPP	Relevance	Implications
	habitat is identified on the subject land.	
SEPP 55 – Remediation of Land	Requires the subject land to be suitable for its intended use in terms of the level of contamination, or where the land is unsuitable due to the level of contamination, remediation measures are required to ensure that the subject land is suitable for its intended use.	Investigation of contamination and the need for remediation has informed the decision to rezone the land. A remediation action plan will need to be prepared and implemented prior to development occurring.
SEPP (Housing for Seniors or People with a Disability) 2004	Enables the development of housing for seniors provided specified criteria are met including topography, design, and access to services and facilities.	The release of land for urban purposes will result in SEPP (Housing for Seniors or People with a Disability) 2004 being relevant to much of the subject land. The site is well located to support such development.

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

An assessment has been undertaken to determine the level of consistency the proposal has with relevant Ministerial Directions. The assessment is provided below:

Ministerial Direction	Relevance	Implications
2.1 – Environmental Protection Zones	The direction requires that a draft LEP contain provisions to facilitate the protection of environmentally sensitive land.	Development of the site will lead to a loss of vegetation in the proposed residential area, however, development of this well serviced site is likely to reduce pressure to develop less appropriate land further from services and facilities. Riparian corridors will be maintained in a conservation zone.
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.	Items of heritage significance will be contained within a conservation zone.
2.4 – Recreation Vehicle Areas	The direction restricts a draft LEP from enabling a recreation vehicle area.	A recreation vehicle area is not proposed.
3.1 – Residential Zones	The direction requires a draft LEP to include provisions	The site adjoins existing urban areas. The draft

Ministerial Direction	Relevance	Implications
	that facilitate housing choice, efficient use of infrastructure, and reduce land consumption on the urban fringe.	amendment will be consistent with this direction.
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.	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.	The amendment 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.	The site is positioned with access to the emerging major regional centre of Glendale/Cardiff, as well as the Edgeworth town centre and Main Road urban renewal corridor.
4.1 – Acid Sulfate Soils	Applies to land that has been identified as having a probability of containing acid sulfate soils, and requires that a draft amendment be consistent with the Acid Sulfate Soil component of the model Local Environmental Plan (ASS model LEP), or be supported by an environmental study.	The subject land has not been identified as containing potential acid sulfate soils. LMLEP 2004 is also consistent with the ASS model LEP, and the draft amendment has been supported by detailed investigations of the land.
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.	The Mine Subsidence Board has been consulted with no objection to the rezoning proposal being received.
4.3 – Flood Prone Land	Applies where the draft amendment will affect provisions to flood prone land.	Areas prone to flooding will be contained within a conservation zone or will be required to have a management plan put in place for management of the relevant watercourse and adjoining land.
4.4 – Planning for Bushfire Protection	Applies to land that has been identified as bushfire prone, and requires consultation	The sites contain land identified as bushfire prone land, and Asset Protection

Ministerial Direction	Relevance	Implications
	with the NSW Rural Fire Service, as well as the establishment of Asset Protection Zones.	Zones will be required within the residential zone. Consultation with the NSW Rural Fire Service has occurred with no objection to the rezoning proposal.
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.	The draft amendment is consistent with the strategic direction set by the Lower Hunter Regional Strategy and Newcastle – Lake Macquarie Western Corridor Planning Strategy.
6.1 – Approval and Referral Requirements	Prevents a draft amendment from requiring concurrence from, or referral to, the Minister or a public authority.	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.	The draft amendment does not propose to alter the provision of land available for public use.

C. Environmental, social and economic impact

1. 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?

The LES included a peer review of vegetation communities identified in a previous study by Conacher Travers. The Conacher Travers report did not identify any Endangered Ecological Communities (EEC) on the site, however, the LES concluded that vegetation in the north western corner of the site forms the Lower Hunter Spotted Gum Iron Bark Endangered Ecological Community. Despite this difference in reporting, the LES does not recommend that the EEC be conserved due to its small size and the area being likely to become isolated in relation to connectivity to other areas of vegetation. No threatened flora or fauna species were identified on the site.

A Major Project is currently being considered by the State Government for development of the Coal and Allied site to the north of the subject land. The development outcome for the Coal and Allied land will not be known until the proposal is determined, however, it is likely that the site will be substantially developed. This would reduce the ecological value of the Transfield Avenue site, and would leave the site poorly connected to conservation corridors in the area.

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

The impacts of the proposed rezoning on the environmental attributes of the site were considered as part of the detailed LES. The LES recommended that riparian corridors be protected through the establishment of a conservation zone over that land. This recommendation has been implemented in the Planning Proposal.

To manage flood risks and minimise water quality impacts, the LES has recommended that riparian corridors be contained within a conservation zone. In accordance with advice from the then named Department of Water and Energy, a plan of management will be required to

ensure that any development proposed near drainage lines is appropriate. This will be managed through a site specific Development Control Plan (DCP) for the site.

Contamination assessments undertaken on the site have determined that the land is capable of supporting residential development. Part of the site contains a knackery, and there have been rural uses in other parts of the site. Remediation work will be required prior to development on this land.

An Aboriginal artefact scatter site was identified on the site, and will be contained within the proposed conservation zone.

In consultation with the Department of Environment and Climate Change (now Office of Environment and Heritage (OEH)) Council was asked to consider the 'improve or maintain' threshold for biodiversity values. Subsequent discussions with OEH indicated that the 'improve or maintain' threshold could be met by providing biodiversity offsets for the area of vegetated land to be zoned for residential use. This was raised with landholders and further consultation occurred with OEH and DoPI, however, biodiversity offsets were proving difficult to determine and deliver because of the multiple ownership of the site and the inability of the landholders to fund offset purchases.

During public exhibition of the draft amendment, staff and the landholders pursued options to achieve offsets to the satisfaction of OEH, which included an offer of land by the landholders. However, OEH determined that this offer was not of an acceptable land area and did not comprise 'like for like' vegetation communities.

Council's draft Biodiversity Offsets Policy was prepared to assist in determining biodiversity offsets and a clear process for their delivery. Staff put forward an option to provide offsets within the site (i.e. a reduced development area), which was not supported by OEH as it was thought that it would not deliver a quality long term biodiversity outcome or connectivity due to the likely development of the surrounding area.

The remaining option was to prepare a Voluntary Planning Agreement (VPA) to secure the delivery of offsets after the rezoning, but prior to development of the site. This was not favoured by OEH as offsets would be deferred until after the rezoning had occurred. Council and landholders also did not favour this option as all landholders would need to agree to enable a holistic planning outcome, and to avoid development on a lot-by-lot basis which would result in a poor built outcome and poor connectivity.

The development outcome for the Coal and Allied land will not be known until the proposal is determined, however, it is likely that the site will be substantially developed. Similarly, a proposal is likely to be received shortly to release the Xstrata land to the east of the subject site for urban development. These developments would reduce the ecological value of the Transfield Avenue site, and would leave the site poorly connected to conservation corridors in the area. The proposal is considered appropriate given that efforts to provide biodiversity offsets have been exhausted, the site is strategically well located for urban growth, and the site has a high level of access to services and facilities.

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

The proposal will provide additional housing to meet the needs of the growing population and is positioned with good access and close proximity to a range of services and facilities. A knackery operates on part of the subject land, which is currently held by the Public Trustee. Rezoning of the land would facilitate the removal of the knackery, which generates complaints to Council, and allow development that is more sympathetic to adjoining residential land use.

The need for an arterial road through the subject land has been identified to facilitate effective traffic movement and an alternative route to Newcastle Link Road, as the Main Road/Minmi Road intersection is approaching capacity. The establishment of this road would also provide for a public transport route into future urban areas. The implementation of a site specific DCP associated with progression of the rezoning and subsequent development will

enable the precise location of this road to be determined through subdivision design, and allow the achievement of the arterial road.

It is estimated that development of the site would contribute approximately \$80 million to the local economy and produce approximately 1365 temporary full time jobs. In addition to this, the LES identifies that development of the site will provide an increased population catchment for local businesses, providing an economic contribution to the centres at Edgeworth and Glendale/Cardiff, as well as the identified Main Road renewal corridor. The LES also indicates that the proposal provides an opportunity to provide more affordable homes.

D. State and Commonwealth interests

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

Consultation undertaken with service authorities has determined that the land can be adequately serviced to accommodate the proposed development of the subject land, although some upgrades will be necessary. The site specific DCP to be prepared for the site will enable the precise location of the proposed arterial road to be determined. The proposed road is planned to link Frederick Street with Minmi Road, Edgeworth. This road will enable buses to gain better access to residential areas, and provide improved traffic flow in the area.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Ten responses were received from public agencies as a result of the consultation process, and are outlined below:

Mine Subsidence Board

The Mine Subsidence Board indicated that approval should be sought prior to any subsequent subdivision or development consent being issued. The applicant will be required to consult with the Mine Subsidence Board prior to subdivision or development occurring.

Awabakal Local Aboriginal Land Council

The Awabakal Local Aboriginal Land Council required that an archaeological survey be conducted on the subject land. A detailed LES for the subject land included a detailed archaeological survey conducted with Aboriginal stakeholders. An identified scatter site will have a conservation zone applied.

Heritage Council

The Heritage Council required that a heritage and archaeological study be conducted on the subject land. The LES included a heritage and archaeological study of the subject land, which identified a scatter site within the area proposed for conservation zoning.

Department of Primary Industries

The Department of Primary indicated that contact should be made with Sydney Gas Operations Pty Ltd as the holder of Petroleum Exploration Licence No. 267. Sydney Gas Operations Pty Ltd was contacted and no objections were raised to the rezoning proposal.

Rural Fire Service

The Rural Fire Service indicated that any future development is to comply with the Planning for Bushfire Protection Guidelines. All future development on the site will be required to comply with the Planning for Bushfire Protection Guidelines.

Department of Environment and Climate Change

The Department of Environment and Climate Change requested that consideration be given to native vegetation and the 'improve or maintain' principle, potential land use conflicts, threatened species, Aboriginal cultural heritage assessment and consultation, potential impacts on areas of high conservation value, contaminated land, and stormwater management. A detailed LES has been conducted on the subject land and has assessed

potential impacts and informed appropriate land use zones for the land. A discussion of biodiversity offsetting efforts has been provided in section C.2. above.

Department of Water and Energy

The Department of Water and Energy identified relevant legislation and policy for consideration and requested consideration of ground water systems and watercourses including the protection of riparian areas. A detailed LES considered hydraulic systems on the subject land and identified the areas required to be conserved as core riparian zones.

Hunter Water Corporation

Hunter Water provided details of existing capacity and timeframes for upgrades where they will be required to support future development of the subject land. The identified upgrades will be necessary to facilitate future development of the subject land and the developer will be required to undertake further discussions with Hunter Water Corporation following rezoning of the land and prior to development approvals being issued.

Ministry of Transport

The Ministry of Transport requested the completion of a Transport Management and Accessibility Plan for the subject land. A detailed LES of the subject land included transport, traffic, and social impact assessments and has informed the proposed land use zones.

Roads and Traffic Authority

The Roads and Traffic Authority requested a detailed traffic assessment for the area. A detailed traffic assessment has been completed in accordance with RTA requirements as part of the LES for the proposal. Subsequent consultation led to a request for clause 62 to be applied to the land to enable the State Government to negotiate with the developer for the establishment of infrastructure and upgrades.

Part 4 – Details of Community Consultation

The draft amendment to LMLEP 2004 was publicly exhibited for a period of 28 days from 14 November 2009 to 11 December 2009. The submissions received and Council's responses are outlined below:

Matters Raised	Town Planning Response
The Roads and Traffic Authority (RTA) indicated that the land should be identified as an urban release area and be subject to clause 62 of LMLEP 2004.	This request has been accommodated and the proposal amended as necessary. The application of clause 62 will enable the State Government to negotiate with the developer for the establishment of infrastructure and upgrades.
A submission was received from Coal and Allied requesting that land included in the Part 3A – Major Project be removed from inclusion within the draft plan, as it will be rezoned as part of the Major Project assessment and determination.	The proposal has been amended to reflect this request.

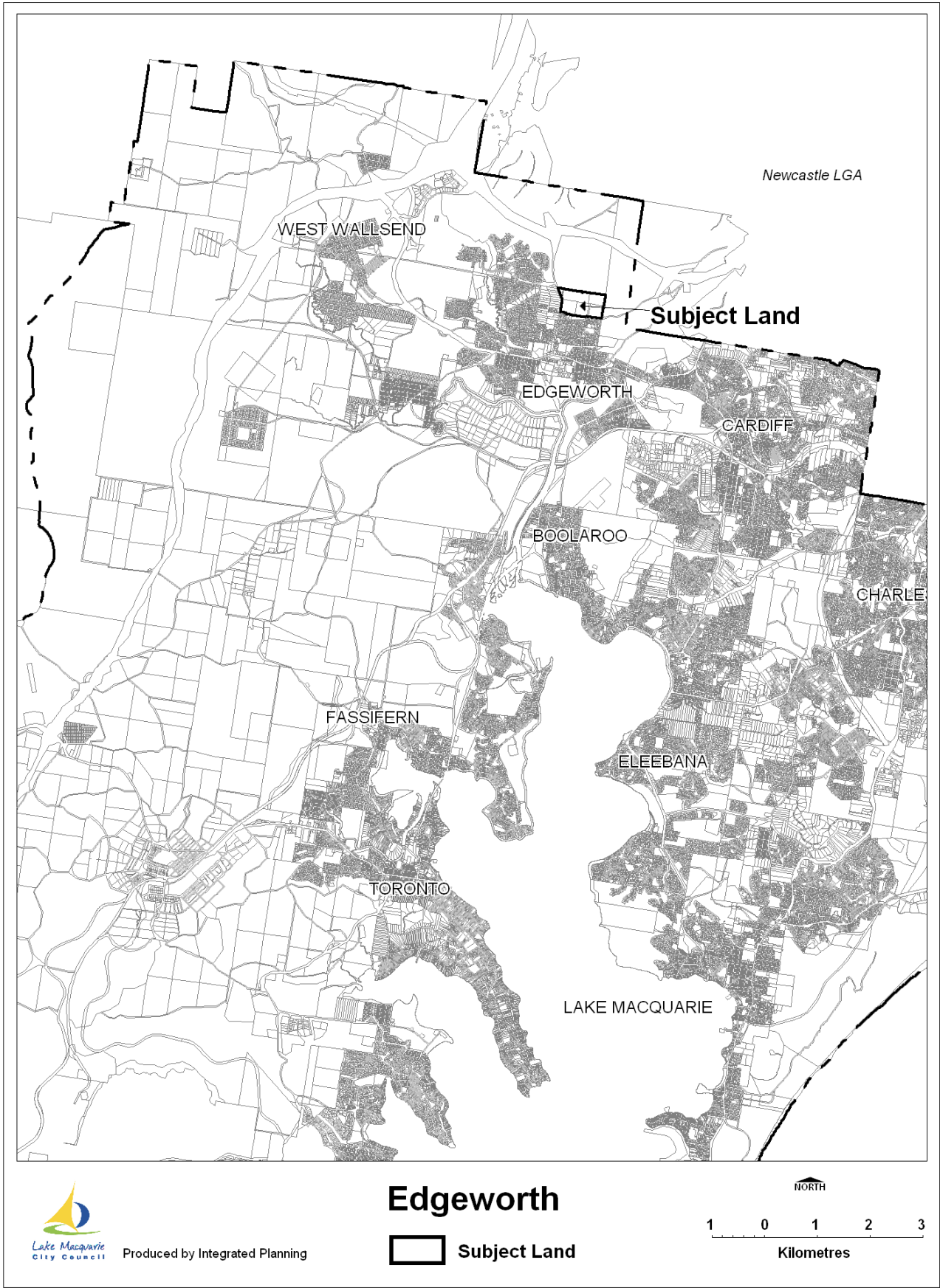
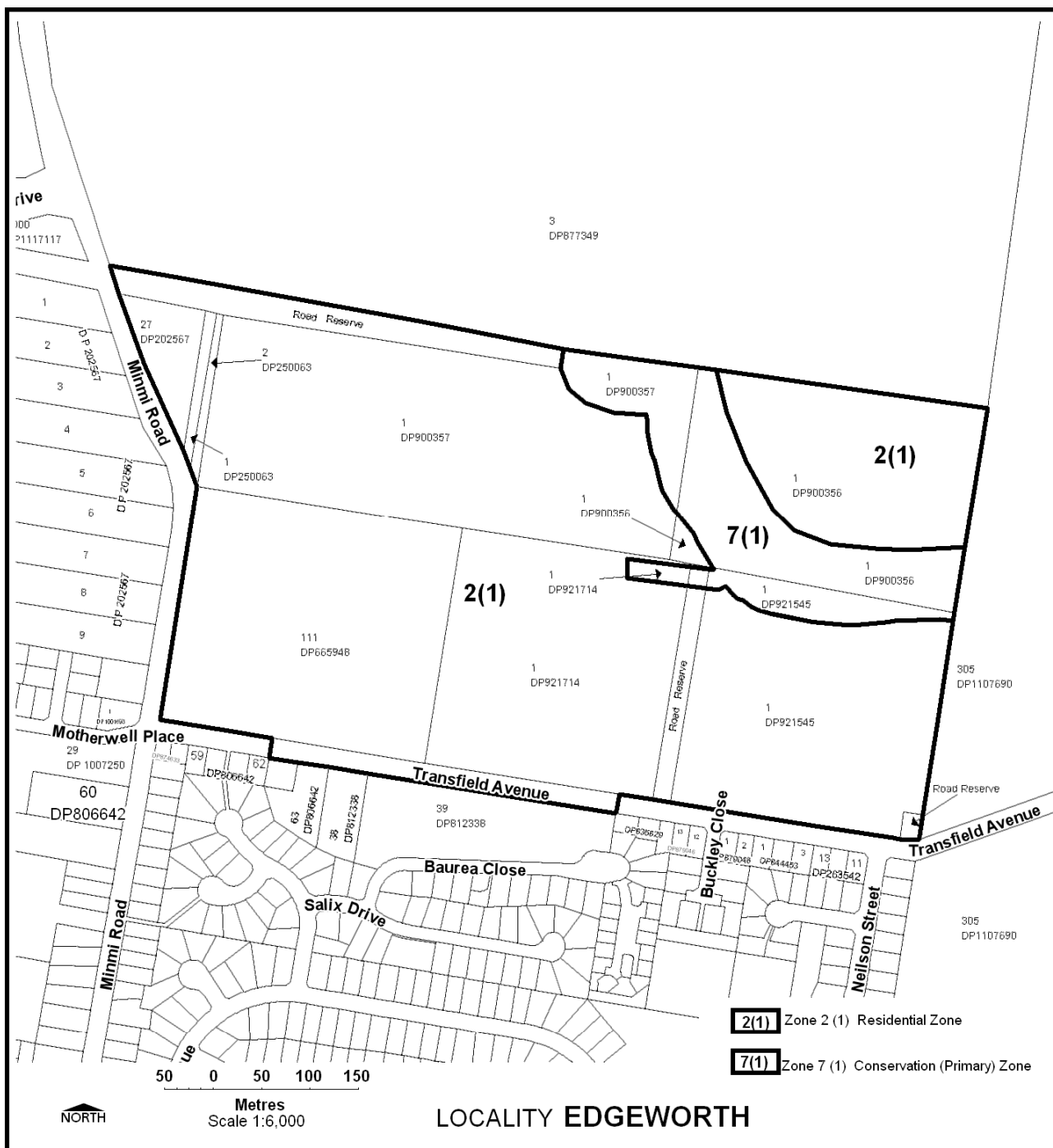


Figure 1: Subject Land Locality Map



Figure 2: Aerial Photograph and Existing Zone Distribution LMLEP 2004



		ENVIRONMENTAL PLANNING & ASSESSMENT ACT , 1979 CITY OF LAKE MACQUARIE LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2004 DRAFT (AMENDMENT NO 59)		SHEET 1 of 1	
DRAWN BY J.B.		DATE 22/10/2010		STATEMENT OF RELATIONSHIP WITH OTHER PLANS AMENDS THE LAKE MACQUARIE LOCAL ENVIRONMENTAL PLAN 2004	
PLANNING OFFICER M.H.					
FILE NO. COUNCIL		DEPT. of PLANNING		CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS.	
CERTIFICATE ISSUED UNDER SEC. 65 EPA ACT		DATE		GENERAL MANAGER DATE	
PUBLISHED ON NSW LEGISLATION WEBSITE ON					

Figure 3: Proposed Zone Distribution LMLEP 2004