

Planning Proposal – Environmental and Recreation Zone Review – Stage One

Local Government Area	Lake Macquarie City
Name of Draft LEP:	Lake Macquarie Local Environmental Plan 2014 – Environmental and Recreation Zone Review – Stage One
Subject Land:	<p>The planning proposal includes the following items:</p> <ul style="list-style-type: none"> • Item 1 - Ryhope Paper Subdivision 3, 5, 7, 9, 10-22, 24, 25, 28, 35-40, 42, 44, 46, 48 Charles Street, Ryhope 4, 6, 8, 10, 12, 14, 16, 18, 20, 22-28, 30, 32, 34, 36, 38, 40, 42, 44, 46 John Street, Ryhope 3, 5, 7, 9, 11-16, 18, 20, 22, 24-33, 35, 37, 39, 41 Ridley Street, Ryhope 9, 16C, 21, 21C, 27, 31, 34, 36 Wakefield Road, Ryhope • Item 2 – Government Road, Nords Wharf 139C Government Road, Nords Wharf (Lot PT 14 DP 26551 and 9C Crosswinds Close, Nords Wharf (Lot 19 DP 787339) • Item 3 – Crangan Bay Drive, Cams Wharf 50 Crangan Bay Drive, Nords Wharf (Lot 1 DP 667041), Part 15A Crangan Bay Drive, Cams Wharf (Part Lot 1 DP 667040, Part Lot 1 DP 667041 and Part Lot 1 DP 975449) • Item 4 - 31 Copper Valley Close, Caves Beach (Lot 4 DP 785540) • Item 5 - Caves Beach Sports Complex – Part 104 Park Avenue, Caves Beach (Part Lot 91 DP 559188) • Item 6 - Part 6 Jody Close, Jewells (Part Lot 189 DP 255591) • Item 7 - 42 Sturt Street, Tingira Heights Part 42 Sturt Street, Tingira Heights (Part Lot 24 DP 849551) and 19A Katie Place, Windale (Lot 11 DP 716257) • Item 8 - 14 Redondo Road, Valentine (Lot 2 DP 616430) • Item 9 – 18 Teran Close, Whitebridge (Lot 10 DP 263008) • Item 10 - Northville Drive, Edgeworth / Barnsley 1 Malcolm Street, Barnsley (Lots 10-12 Sec B 1274), 12 Bramcote Street, Barnsley (Lot 4 Sec B DP 1274), 12 Malcolm Street, Barnsley (Lot 3 and lot 4 Sec C DP 1274), 14 Bramcote Street, Barnsley (Lot 3 Sec B DP 1274), 16 Bramcote Street, Barnsley (Lot 1 and 2 Sec B DP 1274), 16 Malcolm Street, Barnsley (Lot 1 and 2 Sec C DP 1274). 2 Bramcote Street, Barnsley (Lot 7-9 Sec B DP 1274, 2 Malcolm Street, Barnsley (Lot 8 and 9 Sec C DP 1274, 20 Wellington Street, Barnsley

	<p>(Lot PT1 DP 323084), 27 The Weir Road, Barnsley (Lot 10 and 11 Sec C DP 1274), 31 The Weir Road, Barnsley (Lot 12 Sec C DP 1274), 33 The Weir Road, Barnsley (Lot 13-14 Sec C DP 1274), 37 The Weir Road, Barnsley (Lot 15 and 16 Sec C DP 1274), 41 The Weir Road, Barnsley (Lot 17 and 18 Sec C DP 1274). 6 Malcolm Street (Lot 1 DP 121006), 7 Malcolm Street (Lot 13-18 Sec B DP 1274), 8 Bramcote Street (Lot 5 and 6 Sec B DP 1274), 8 Malcolm Street (Lot 5 and 6 Sec C DP 1274), 9 Northville Drive, Edgeworth (Lot 1 DP 403066)</p> <ul style="list-style-type: none"> • Item 11 - Part of Slatey Creek – Holmesville 1A Asher Street, Holmesville (Lot 5 and 10 Sec X DP 5432), 8 Queen Street, Holmesville (Lot 1 and 2 Sec F DP 5432), 6 Queen Street, Holmesville (Lot 3 Sec F DP 5432), Part 60A Appletree Road, Holmesville Part Lot 650 DP 571041), Part 77 Appletree Road, Holmesville (Part Lot 1 DP 1001812) • Item 12 – Belmont State Wetlands Park Part 1A Stanley Street, Belmont (Part Lot 20 DP 817883), Part 18A Masters Street, Belmont North (Part Lot 1 DP208759 and Part Lot 2 DP 105964). • Item 13 - Part 177 Wilton Road, Awaba (Part Lot 426 DP 823739) • Item 14 - 2 Campview Road, Morisset (Lot 7055 DP 1124688) • Item 15 - Part of 6 Killingworth Road, Holmesville – Slatey Creek Part of 6 Killingworth Road, Holmesville – Lot PT78 DP 755262 (Hunter Development Corporation) and Part 40 Killingworth Road, Holmesville (Part Lot 651 DP 571041), Part 65 Elizabeth Street, Holmesville (Lot 34 DP 258543) • Item 16 – Tingira Heights Fire Station Part 68 Violet Town Road, Tingira Heights (Part Lot 1 DP 1048060) • Item 17 – Part 82 Point Piper Road, Eraring (Part Lot 13, 14, 15, 16 Sec O DP 6747) • Item 18 - Part 9 Eagles Nest Close, Belmont North (Lot 72 DP 786238) • Item 19 – Apple Tree Grove Estate – Offset Site Part 15 Robertson Road, West Wallsend (Part Lot 6 DP 1180029), Part 254 George Booth Drive, Cameron Park (Part Lot 4 DP 1180029) • Item 20 - 428 Bushells Ridge Road, Wyee (Lot 475 DP 755242)
Owner:	Item 1 - Ryhope Paper Subdivision - Council, 6 private land owners and

	<p>Roads and Maritime Service (RMS)</p> <p>Council:</p> <ul style="list-style-type: none"> • Item 2 – Government Road, Nords Wharf • Item 3 – Crangan Bay Drive, Cams Wharf • Item 4 - 31 Copper Valley Close, Caves Beach • Item 5 - Caves Beach Sports Complex – 104 Park Avenue, Caves Beach • Item 6 - Part 6 Jody Close, Jewells • Item 7 - 42 Sturt Street, Tingira Heights • Item 8 - 14 Redondo Road, Valentine • Item 9 – 18 Teran Close, Whitebridge <p>Item 10 – Northville Drive, Edgeworth and Barnsley - Mostly Council and one lot Hunter Water Corporation</p> <p>Item 11 - Part of Slatey Creek, Holmesville – Council and Hunter Development Corporation</p> <p>Department of Industry - Lands:</p> <ul style="list-style-type: none"> • Item 12 – Belmont State Wetlands Park • Item 13 – Part Wilton Road, Awaba • Item 14 – 2 Campview Road, Morisset <p>Item 15 – Part of 6 Killingworth Road, Holmesville – Slatey Creek - Hunter Development Corporation</p> <p>Item 16 - Tingira Heights Fire Station – Fire and Rescue NSW</p> <p>Item 17 – 82 Point Piper Road, Eraring - Origin Energy</p> <p>Private land owners:</p> <ul style="list-style-type: none"> • Item 18 – 9 Eagles Nest Close, Belmont North • Item 19 – West Wallsend Offset Site • Item 20 – 428 Bushells Ridge Road, Wyee
Applicant:	Council initiated
Council Folder Number	F2014/00191

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Part 1 – Objective of the Planning Proposal

The objective of this Planning Proposal is to amend *Lake Macquarie Local Environmental Plan 2014* (LMLEP 2014) to address some zone anomalies to reflect the current usage of land and environmental values of the land. The Planning Proposal largely seeks to amend the zoning of land that has historically been zoned for public recreation to E2 Environmental Conservation to reflect that this land is not required and unsuitable for recreational needs and should be zoned to conservation to reflect its environmental significance.

Part 2 – Explanation of the Provisions

The amendment proposes the following changes to *Lake Macquarie Local Environmental Plan 2014*:

Land Zoning Map	The planning proposal will rezone the properties as outlined in Table 1 below.
Lot Size Map	Minimum lot sizes would correspond to the proposed zoning as follows: R2 – 450m ² , E2- 40ha, E4 – 2 ha, RU2 – 20ha, RE1 - No minimum lot size.
Height of Buildings Map	Height of buildings would correspond to the proposed zoning as follows: R2 – 8.5m, E2 – 5.5m, E4 - 5.5m, RU2 – 8.5m and RE1 – 8.5m.
Land Reservation Acquisition Map	Removal of acquisition from Item 15 – Part of Killingworth Road, Holmesville and Item 19 – West Wallsend Offset Land.

Table 1: Zoning Changes - Explanation of Provisions

Item No.	Site	Explanation of Provisions
1	Ryhope Paper Subdivision	Rezone the subject land from E3 Environmental Management to E2 Environmental Conservation
2	Government Road, Nords Wharf	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation and R2 Low Density Residential
3	Crangan Bay Drive, Cams Wharf	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
4	31 Copper Valley Close, Caves Beach	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
5	Caves Beach Sports Complex	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
6	6 Jody Close, Jewells	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
7	42 Sturt Street, Tingira Heights	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
8	14 Redondo Road, Valentine	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
9	18 Teran Close, Whitebridge	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
10	Northville Drive, Edgeworth / Barnsley	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation

11	Part of Slatey Creek, Holmesville	Rezone the subject land from RE1 Public Recreation and E3 Environmental Management to E2 Environmental Conservation
12	Belmont State Wetlands Park	Rezone the subject land from E3 Environmental Management to E2 Environmental Conservation
13	Part 177 Winton Road, Awaba	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
14	2 Campview Road, Morisset	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
15	Slatey Creek, Holmesville	Rezone the subject land from RE1 Public Recreation to E2 Environmental Conservation
16	Tingira Heights Fire Station	Rezone the subject land from E2 Environmental Conservation to RE1 Public Recreation
17	82 Point Piper Road, Eraring	Rezone the subject land from E4 Environmental Living to E2 Environmental Conservation
18	9 Eagles Nest Close, Belmont North	Rezone the subject land from E2 Environmental Conservation to E4 Environmental Living
19	West Wallsend Offset Land	Rezone the subject land from RE1 Public Recreation and R2 Low Density Residential to E2 Environmental Conservation.
20	428 Bushells Ridge Road, Wyee	Rezone part of the subject land from E2 Environmental Conservation to RU2 Rural Landscape

Further information on each property is contained in section in Part 4 Mapping. This section contains further information on the background of each site and proposed zone changes. Council requests delegations for the plan making functions under section 59 of the *EP&A Act 1979*.

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?

Lake Macquarie City Council has undertaken a review of environmental zones in the Lake Macquarie Local Government Area (LGA). Council's Vegetation Mapping is regularly updated and Council has identified a number of sites that have environmental attributes that should be conserved including significant vegetation communities, habitat for threatened species and land containing endangered ecological communities. These sites have already been identified as having conservation significance on the Green Systems Map in the Lifestyle 2030 strategy, which is further discussed in section 2.

This rezoning has been prepared based on vegetation mapping and assessment undertaken. This has included a review of vegetation communities, corridors, threatened species and areas that are suitable for a change of use. Council has reviewed land on the Green Systems Map showing as important corridors along with Council Recreation Plans and section 94 plans to identify parcels of land that are not required for recreation and should be zoned for conservation.

In summary, the planning proposal will make the following changes in overall zone area in the Lake Macquarie Local Government Area:

Zone Change	Total Area (ha)
RE1 Public Recreation to E2 Environmental Conservation	68.9
E3 Environmental Management to E2 Environmental Conservation	59.4
RE1 Public Recreation and E3 Environmental Management to E2 Environmental Conservation	5.4
E4 Environmental Living to E2 Environmental Conservation	2.8
E2 Environmental Conservation to E4 Environmental Living	0.15
E2 Environmental Conservation to RE1 Public Recreation	0.07

Council has adopted Recreational Plans and section 94 Contribution Plans that look at existing recreational facilities and additional facilities needed to meet the growing population in Lake Macquarie. These include the following:

- Development Contributions Plan – s94 Contributions Plan and Recreation and Land Plan – Glendale Contributions Catchment 2015-2030. Adopted on 23 May 2016.
- Morisset Contributions Catchment Recreation, Open Space and Community Facilities and Services Study and Development Contributions Catchment Plan. Adopted on 26 November 2012.
- Toronto Contributions Catchment- Recreation and Land Plan and Contributions Plan. Adopted 26 November 2016.
- Development Contributions Plan Charlestown Contributions Catchment 2015 and Charlestown Recreation and Land Plan. Adopted on 28 September 2015.
- Lake Macquarie Section 94 Contributions Plan Citywide – Belmont Catchment. Adopted 28 June 2010.

The Recreation Plans identifies that within the City, community land categorised as natural area, comprises 3,058 ha and 75% of the total community land in the City, or 15.2 ha/1,000 population. Land categorised natural area includes bushland, wetland, escarpment, watercourse, and foreshore. Whilst there may be some permissible recreation uses within some of the natural areas, such as, bush walking and mountain bike riding, a large proportion of the land is steeply sloping, contains creeks, watercourses, or natural vegetation communities, including wetlands that preclude most recreation uses. As such, Council does not consider natural areas to be usable recreation lands.

All of the Council owned parcels we are seeking to rezone to E2 Environmental Conservation have been identified as 'natural areas' within our Plan of Management for Community Land. These parcels of land will remain as public / community land and still be available for bushwalking and recreational trails/cycleways. The planning proposal will change the zone to reflect the current usage of this land as identified in our Plan of Management for Community Land.

The sites proposed to be rezoned to conservation in the planning proposal have not been identified as being required to meet the future recreational needs of our growing community in these Plans. The sites are not considered suitable for recreational use, apart from walking and cycle links due to the site constraints such as steep topography, being part of creek and wetland areas and the native vegetation constraints of these parcels. Council intends to keep these parcels in public ownership and for public use, noting in some instances, cycleways connections would be possible in this zone. The E2 Environmental Conservation zone still permits community facilities and recreation areas including cycleways.

The NSW DoP (2009) *Draft Local Development Contributions Guidelines* and NSW DoP (2010) *Recreation and Open Space Planning Guidelines for Local Government* recommend that Councils take care to ensure that the land they are receiving for open space purposes is appropriate for the end use.

Parks are:

Reserves which have had their physical character and/or vegetation modified to support community recreation, community development and wellbeing uses. They include ornamental gardens, play facilities, community gardens and informal lawns

A sports ground is an area comprising sports fields, ovals or courts used for organised, competition or sports training. They should adhere to the following standard:

- be fit for purpose
- be located on flat land
- for parks - slopes generally <1:15, some areas of steeper slope <1:4 may be permitted for a park
- be predominantly square in configuration,
- have extensive street frontage on at least two of its site boundaries
- have good visibility into the area and good surveillance i.e. residential dwellings overlooking the land
- be centrally located to the catchment population served,
- have good access, located on a shared pathway, or cycleway network,
- have good solar access (winter sun),
- have good shade (in summer),
- for sports grounds the land is to provide a minimum of two senior full sized fields and a cricket oval, oriented north/south with the required safety zone, dead ball areas and buffers and to provide for additional supporting infrastructure. Field grades between 1:70 and 1:100 depending upon the nature of the growing media and subsurface drainage system.
- the entire parcel of land is to be categorised as 'sportsground' or 'park' according to the L G Act (1993), and

The land must not comprise:

- any endangered vegetation communities, endangered flora, nest/roost trees, senescent trees or any tree species known to drop limbs,
- any flood prone land,
- have drainage conflicts,
- any contaminated land or water, and
- transmission line easements

In developing Council's Recreation Land Plans and Contribution Plans, Council has adhered to these draft Guidelines. The rezoning proposals seeks to rezone land that contains endangered ecological communities, threatened species, corridors for threatened species and a number of sites that are either too steep, or part of a riparian corridor and should be maintained in a conservation zone.

The planning proposal is supported by adopted Recreation Plans that have not identified the land parcels as being required for recreational use and are identified as natural areas within Council's Plan of Management for community land and are not suitable for traditional recreational uses. Notwithstanding this, the E2 Environmental Conservation zone will still permit usage for walking and cycle connections, whilst recognising the environmental significance of these parcels.

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

The planning proposal is considered the only option available to rezone the sites. Increasing the environmental protection of these parcels is consistent with the directions of the Hunter Regional Plan to conserve land of biodiversity significance.

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)?

Hunter Regional Plan 2036

The Hunter Regional Plan recognises the need to protect and conserve a number of green corridors for conservation and biodiversity. Direction 14 seeks to protect and connect natural areas. The proposed rezoning is consistent with Direction 14 and the actions to identify biodiversity values, protect areas of high environmental value to sustain the lifestyle, economic success and environmental health of the region. The rezoning will also enhance the protection of high environmental value land.

Lower Hunter Regional Conservation Plan (LHRCP)

The LHRCP sets a 25 year program for conservation planning and efforts in the Lower Hunter. The environmental zone review project will contribute to the objectives of this Plan by overall increasing the level of protection of vegetation of conservation significance.

The proposal will seek to conserve vegetation that supports threatened species and endangered ecological communities and is consistent with this Plan.

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

Lifestyle 2030 Strategy

Council's Lifestyle 2030 Strategy contains a number of strategic directions, outcomes and actions to conserve biodiversity in Lake Macquarie.

Strategic Direction 1 – A city responsive to the environment seeks to ensure biodiversity connectivity and conservation areas are identified, protected and enhanced with the major

elements shown schematically on the *Green Systems Corridor Map* and the *Urban Structure Map*.

Council's Lifestyle 2030 strategy seeks to protect State significant vegetation and habitats such as EEC's, wetland vegetation communities, significant wildlife habitats, Regionally significant vegetation and habitat, remnant vegetation and native vegetation corridors. The Green Systems Map was prepared by mapping important vegetation communities and corridors in Lake Macquarie used to support threatened flora and fauna.

Figure 1: Extract from Lifestyle 2030 Strategy - Green Systems Map

Strategic Direction 1 contains a number of outcomes to objective this direction. The planning proposal is consistent with the following outcomes within Council's Lifestyle 2030 strategy:

- Biodiversity values are protected and managed.
- Where not part of an urban development strategy, the development of planned communities on previously undeveloped land (Greenfield development) is limited to areas adjacent to existing development and is preferentially directed to cleared areas, which do not support threatened species.
- Viable populations of threatened species and areas of endangered ecology are maintained and enhanced.
- Estuarine, riparian and coastal ecosystems are protected and enhanced.
- The health of aquatic habitats, such as the Lake and ocean, are maintained and enhanced by limiting urban runoff and pollutants.
- Urban development incorporates and makes provision for sustainable water cycle management.
- Ecosystems and species are assisted to adapt and migrate in response to the impacts of climate change.
- Healthy, resilient ecosystems, such as coastal ecosystems, have the capacity to assist in protecting infrastructure and property.
- The scenic natural beauty of the City is maintained and enhanced.
- The planting of trees and maintenance of native vegetation are used to assist in improving microclimate and air quality.

The planning proposal is also consistent with Strategic Direction 3 - A well designed adaptable and liveable city and the following outcomes:

- the scenic qualities of the Lake and its setting, such as foreshores, forested ridges, wooded ridges, riparian areas are promoted, protected, and enhanced.
- the scenic and heritage qualities of the coast and its setting, such as headlands, beaches, wetlands and dunes, are protected and enhanced.

The planning proposal will ensure vegetation adjoining the foreshore and ridgelines and riparian areas is maintained adding to the scenic quality of the area.

Community Strategic Plan 2017-2027

Council's CSP aims to protect and enhance the environment. Council values our unique landscape: a place where the natural environment (bushland, coast, lake and mountains) is protected and enhanced; where our existing urban centres are the focus of our growth, maintaining their unique characteristics. The proposed rezonings are considered consistent with the CSP and new City vision and values which aim to protect Lake Macquarie's unique environment.

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	Comment
SEPP 14 – Coastal Wetlands	Aim to ensure that coastal wetlands are preserved and protected in the	Some of the proposed rezonings are located within close proximity to SEPP 14 wetlands. Part of item 12 is within a SEPP 14 wetland

SEPP	Relevance	Comment
	environmental and economic interests of the State.	boundary. A number of the rezoning sites are near creeks and watercourses that feed into SEPP 14 wetland. The proposed rezonings will increase the conservation zone applying to these properties. The proposal is consistent with this direction.
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.	This SEPP seeks to conserve vegetation in urban areas. The planning proposal seeks to conserve areas containing native vegetation and significant vegetation communities. Non-conservation zones will only be applied to properties that have already been developed and no longer contain native vegetation. The proposal is consistent with this direction.
SEPP 44 - Koala Habitat Protection	Aims to encourage the proper conservation and management of areas of natural vegetation that provide koala habitat.	Detailed flora and fauna assessments have not occurred for all properties. The environmental zone review has largely been based on a review of aerial photography, vegetation community mapping and site inspection. Some of the sites may be considered as Koala Habitat. The rezoning largely seeks to increase the conservation status of land parcels that are vegetated. The rezoning proposal only seeks to remove a conservation zone where the site has already been developed in accordance with an approved development consent that would have considered flora and fauna issues including koala habitat protection. This proposal is consistent with this SEPP.
SEPP 55 – Remediation of Land	Establishes planning controls and provisions for the remediation of contaminated land.	The planning proposal will not increase the development potential of land, except for sites that have already been developed in accordance with an approved development application, which would have considered potential contamination issues. Council's DCP 2014 contains relevant

SEPP	Relevance	Comment
		development controls to ensure any contamination is identified and issues are addressed at development application stage. The rezoning proposal is consistent with this SEPP.
SEPP 71- Coastal Protection	This SEPP ensures that development in the NSW coastal zone is appropriate and suitably located to ensure that there is a consistent and strategic approach to coastal planning and management.	The planning proposal will impact on some land located within the coastal zone. However, the planning proposal seeks to conserve areas within the coastal zone. The proposal is consistent with this direction.

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
1.1 - Business and Industrial Zones	Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres	The proposal does not impact on business zones.
1.2 - Rural Zones	Aims to protect the agricultural production value of rural land.	Item 20 includes a rezoning of some conservation land to RU2 Rural Landscape zone. The proposal will not rezone any rural land or increase the permissible density of land within a rural zone. The proposal is consistent with this direction.

Ministerial Direction	Relevance	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.	The proposal will not impact on the extraction of coal, other mineral resources, petroleum and extractive materials. Consultation will occur with DPI.
1.4 - Oyster Aquaculture	Aims to ensure that Priority Oyster Aquaculture Areas.	Not relevant. No oyster aquaculture areas are impacted.
1.5 - Rural Lands	Aims to protect the agricultural production value of rural land.	Does not apply to Lake Macquarie.

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	<p>This direction requires that a draft LEP contains provisions to facilitate the protection of environmentally sensitive land. The proposal seeks to make a number of changes to environmental zones. The majority of changes seek to increase the conservation status of land to E2 Environmental Conservation to recognise the significant vegetation communities on these properties.</p> <p>Some of the rezoning proposals will remove a conservation zone and apply a zoning more representative of the current use of a site that has been developed in accordance with an approved development application. This includes Item 16 which seeks a zone change from E2 Environmental Conservation to RE1 Public Recreation and Item 20 with a realignment of E2 Environmental Conservation and RU2 Rural Landscape zone boundaries. Item 18 will also be rezoned from E2 to E4 Environmental Living.</p> <p>These changes are considered of minor significance. Concurrence will be sought from the Director-General of the Department of Planning that this is of minor significance.</p>
2.2 - Coastal Protection	This direction aims to implement the principles in the NSW Coastal Policy	<p>Some of the sites subject to the proposal are located within the coastal zone. The zone changes are consistent with the Coastal Policy, Guidelines and Coastline Management Manual. The zone changes will increase the environmental protection of land within the Coastal Zone.</p> <p>The proposed rezoning is considered consistent with the NSW Coastal Policy.</p>

Ministerial Direction	Relevance	Implications
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.	<p>The direction requires that a draft LEP include provisions to facilitate the protection and conservation of aboriginal and European heritage items.</p> <p>Some of the properties are identified as being located in a Sensitive Aboriginal Cultural Landscape Area. However, the zoning changes seek to ensure the conservation of these sites. The planning proposal is consistent with this direction.</p>
2.4 – Recreation Vehicle Areas	The direction restricts a draft LEP from enabling land to be developed for a recreation vehicle area.	The direction restricts a draft LEP from enabling land to be developed for a recreation vehicle area. This Planning Proposal does not propose any recreation vehicle areas and is consistent with this Direction.
3.1- Residential Zones	The direction requires a draft LEP to include provisions that facilitate housing choice, efficient use of infrastructure, and reduce land consumption on the urban fringe.	<p>Part of Item 2 will be rezoned from RE1 Public Recreation to R2 Low Density Residential zone. This is only a small portion of this site and will allow for the road access to allow for the approved concept plan for the Coal and Allied Southern Estate development at Nords Wharf.</p> <p>Part of Item 19 will be rezoned from R2 Low Density Residential to E2 Environmental Conservation. This land is part of an approved biodiversity offset site for a development application at West Wallsend known as Apple Tree Grove Estate. E2 Environmental Conservation is the most suitable zone for offset sites to ensure the long term protection of these parcels.</p> <p>The planning proposal is considered consistent with this direction.</p>

Ministerial Direction	Relevance	Implications
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 LEP is not proposing caravan parks or manufactured home estates. The proposal is considered consistent with this direction.
3.3 – Home Occupations	The direction requires that a draft LEP include provisions to ensure that Home Occupations are permissible without consent.	The proposal does not change provisions relating to Home Occupation. This use is still permissible without consent.
3.4 – Integrating Land Use and Transport	The direction requires consistency with State policy in terms of positioning of urban land use zones.	The proposal will rectify the zones of the site in accordance with their current use. The planning proposal is considered consistent with this direction.
4.1 Acid Sulfate Soils	Aim to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils	The proposal applies to a number of properties that contain acid sulphate soils. However, in the majority of instances, a conservation zone is being applied. Some changes seeks to amend an urban zone, however this recognises existing approved development. The planning proposal is consistent with this direction.
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.	<p>The sites are within a proclaimed Mine Subsidence District. However as the majority of changes relate to zoning land to conservation, development would be restricted. There are a few proposals that will amend the zone to allow development, however these are on sites already containing development.</p> <p>Council will consult with the Mine Subsidence Board if directed by the Gateway Determination.</p>

Ministerial Direction	Relevance	Implications
4.3 - Flood Prone Land	Aims to ensure that development of flood prone land is consistent with the NSW Government Flood Prone Land Policy and the Principles of the Floodplain Development Manual 2005 and to ensure that the provision of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	The proposal includes a number of properties, which are subject to flooding as they are located adjoining watercourses and contain riparian habitat. These properties will be rezoned to E2 Environmental Conservation. All flood affected land will remain in an environmental or rural landscape zone, consistent with Direction 4.3.
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.	The majority of the properties are classed as bushfire prone land. Consultation with the NSW Rural Fire Service will be undertaken if directed.
5.10 – Implementation of Regional Plan	The direction seeks to give effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	The rezoning proposal is considered consistent with the Hunter Regional Plan, which aims to protect and connect natural areas. The proposed rezoning is consistent with Direction 14 and the actions to identify biodiversity values and protect areas of high environmental value. The rezoning will also protect enhance the protection of high environmental value land.
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.	The proposal is consistent with this direction because an LEP Amendment would not require concurrence, consultation or referral of development applications to a Minister or public authority and would not identify development as designated development.
6.2 – Reserving Land	The direction prevents	This direction states that a

Ministerial Direction	Relevance	Implications
for Public Purposes	a draft LEP from altering available land for public use.	<p>planning proposal must not create, alter or reduce existing zonings or reservation of land for public purposes without the approval of the relevant public authority and the Director General of the Department of Planning. The proposal does seek to change the zoning of a number of the items from a public recreation zone to a conservation zone to reflect that this land contains high value habitat and threatened species and is unsuitable for recreational development. The amendment also will be taking the acquisition off Item 15 – Part of Killingworth Road, Holmesville and Item 19 – West Wallsend Offset Land.</p> <p>Whilst the recreational zone is being altered, the rezoning will maintain this land as public land for the public purpose of environmental protection. The sites will still be used for public use with community facilities, recreational areas and cycleways still being a permitted land use in the E2 Environmental Conservation zone.</p> <p>Council has reviewed these lands in the context of Recreational Plans and our various section 94 Contribution Plans, which identified existing and future recreational needs of our growing community. The parcels being rezoned to conservation are not identified in these Plans and are not suitable for recreational use such as sports fields or playgrounds due to their site constraints and environmental significance.</p> <p>The Director General's concurrence will be required that the proposal is of minor significance as the land will be maintained for conservation and community facilities, recreational</p>

Ministerial Direction	Relevance	Implications
		<p>areas and walkways and cycleways will still be permitted in these areas.</p> <p>The area of land affected by the planning proposal is detailed in section 1 of the planning proposal.</p>
6.3 - Site Specific Provisions	Aims to reduce restrictive site-specific planning controls where a draft LEP amends another environmental planning instrument in order to allow a particular development proposal to proceed. Draft LEPs are encouraged to use existing zones rather than have site-specific exceptions.	The amendment does not propose site-specific zones or planning provisions. The proposal is consistent with this Direction.

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 proposal will not adversely affect any threatened species, populations or ecological communities or their habitats as the proposal will be largely increasing the conservation status of land that contains these ecological characteristics. The proposal will have positive environmental impacts with the increased conservation status of land.

Some existing conservation zoned land will be rezoned on sites that are already developed and no adverse impacts on species or habitats will occur.

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

The proposal will strengthen the conservation status of areas within the Lake Macquarie LGA area that have been identified as containing significant vegetation and habitat. The proposal will assist in protecting threatened species, endangered ecological communities and improving conservation corridors.

A few of the proposals involve rezoning conservation land, however this is because these sites have already been developed in accordance with an approved development application and no environmental impacts are expected.

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

Social Impacts

- Changes from Recreation to Conservation Zone

Some of the proposals seek to change the zoning of RE1 Public Recreation land to E2 Environmental Conservation. The public recreation zone seeks to provide land for the purpose of public open space or recreation, as well as maintaining the environmental qualities of this land. Whereas the E2 Environmental Conservation zone seeks to protect and restore areas of high ecological, scientific, cultural or aesthetic values and prevent development that could have an adverse impact on this land. The E2 zone, still allows community facilities and recreation areas, so recreational facilities would still be permitted in the E2 Environmental Conservation zone with some of these areas potentially being suitable for cycleway facilities.

None of the sites that have been identified for rezoning have been identified within Council's adopted Recreation and Contributions Plan as required for recreation facilities and Council does not plan to develop these land for recreational facilities as they are not suitable for recreational use due. Some of the sites are nearby to proposed cycleways, however these are a permitted land use in the E2 zone.

- Increased Conservation Status Zoning

The planning proposal seeks to increase the conservation status of some land to E2 Environmental Conservation. Some land owners may have concerns about an increased conservation status. The majority of land owners impacted are Council, Hunter Development Corporation and Department of Industry - Lands. There are also some parcels of land owned by Local Aboriginal Land Councils. There are no individual private land owners impacted from an increased conservation status.

Consultation has occurred with state government agency. This is further outlined in Part D – State and Commonwealth Interests

- Rezoning to Current Use

The proposals that seek to change to zone to represent the current use of the site, are considered to have minimal social impacts.

Economic Impacts

The planning proposal may reduce the land value of the properties proposed to be rezoned from recreation to conservation. The majority of this land is Council land. Some of this land is also state government land. However, this land contains threatened species, riparian and creek areas and already areas protected such as areas within the Coastal Wetlands Park and offset sites.

Some of the properties, land values will be slightly increased with a change from conservation to reflect the current land use of the sites.

D. STATE AND COMMONWEALTH INTERESTS

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

The planning proposal does not place additional demands on public infrastructure. The majority of zone changes relate to increasing the environmental protection of this land.

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

Initial consultation has occurred with State government agencies. Further consultation will occur with agencies and the community in accordance with the Gateway determination.

Item 1 – Ryhope Paper Subdivision

Note: The majority of the lots are Council owned land, however Roads and Maritime Service own some land in this area.

The lots have been declared public road under the care control and management of Council. It is not considered that a rezoning would impact on the public road use of the lots, and as such Roads and Maritime has no comment on the proposal from a landowner perspective. Roads and Maritime raises no objection to or requirements for the proposed development as it is considered there will be no significant impact on the nearby classified (State) road network.

Item 11 – Part of Slatey Creek, Holmesville

Hunter Development Corporation has no objection to the proposed rezoning from E3 Environmental Management to E2 Environmental Conservation.

Item 12 – Part of Belmont State Wetlands Park

The Department of Industry – Lands advised they have no objection to the rezoning proposal, however the care, control and management of the site are the responsibility of the appointed trust manager – Belmont State Wetlands Park Trust and recommended further consultation with this Trust.

Belmont State Wetlands Park Trust

No response was received. Further consultation will occur following the Gateway determination.

Item 13 – Part 177 Wilton Road, Awaba

The Department of Industry – Lands has no objection to the rezoning proposal. The site is Crown Reserve 19445 for Drainage, gazetted 20 January 1894. Care, control and management of this reserve devolve to Lake Macquarie City Council.

Item 14 – 2 Campview Road, Morisset

The Department of Industry – Lands objects to the rezoning proposal. This site is Crown Reserve 7588 for Public Recreation, gazetted 6 October 1888. Care, control and management of the reserve devolve to Lake Macquarie City Council. The current zoning of RE1 permits recreational activities as well as environmental protection works and is consistent with the current reserve purpose. The proposed rezoning may restrict potential multiple use of Crown land. The lot is subject to undetermined Aboriginal Land Claims (ALCs) lodged by Biraban LALC and Koombahtoo LALC (now defunct). Department of Industry suggests you contact Biraban LALC for their opinion on the proposal.

Planning Comment:

Council wrote to Biraban LALC and they requested further information on the environmental significance of the site.

Item 15 – Part of 6 Killingworth Road, Holmesville – Slatey Creek

Hunter Development Corporation have advised that they do not have any issues with the proposed rezoning from RE1 Public Recreation to E2 Environmental Conservation for Part Lot PT78 DP755262 and Part Lot 651 DP 571041. Hunter Development Corporation does not have any current agistment licences located on these areas.

Item 16 – Tingira Heights Fire Station

Fire and Rescue NSW advised they have no issues with the proposed rezoning to RE1 Public Recreation.

Part 4 – Mapping

Locality Map

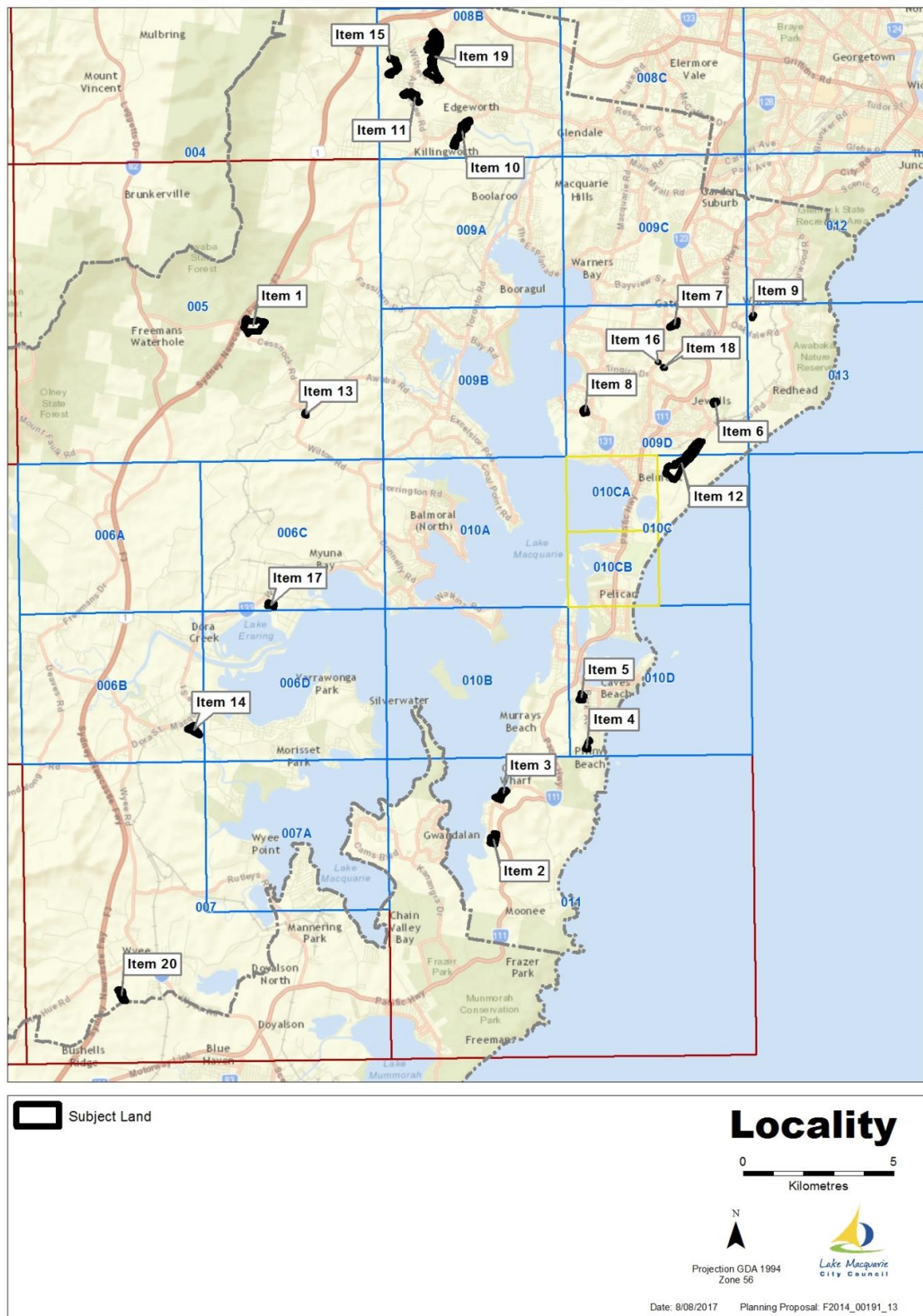


Figure 2: Locality Map

Item 1 – Ryhope Paper Subdivision

Item No. 1 – Ryhope Paper Subdivision	
Address (the site)	<ul style="list-style-type: none"> • 3, 5, 7, 9, 10 -22, 24, 25, 28, 35-40, 42, 44, 46, 48 Charles Street, Ryhope • 4, 6, 8, 10, 12, 14, 16, 18, 20, 22-28, 30, 32, 34, 36, 38, 40, 42, 44, 46 John Street, Ryhope • 4, 6, 8, 10, 12, 14, 16, 18, 20, 22-28, 30, 32, 34, 36, 38, 40, 42, 44, 46 Ridley Street, Ryhope • 9, 16C, 21, 21C, 27, 31, 34, 36 Wakefield Road, Ryhope
Owner:	Largely owned by LMCC and Council is in process of acquiring remaining 6 privately owned land parcels. Some RTA land and crown roads.
Site area:	21.62 ha
Existing Uses:	Vegetated old paper subdivision
Existing Zones:	E3 Environmental Management
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from E3 Environmental Management to E2 Environmental Conservation
Background and Justification:	<p>The Ryhope paper subdivision was registered in approximately 1889 and is known as Ryhope Estate. At no time has this land been zoned in such a way that would allow the subdivision to be constructed and lots to be developed. The existing biodiversity values of the land and its lack of essential services, particularly sewer, indicate there is no potential for the land to be rezoned and developed for urban purposes in the foreseeable future. Since 1965, Council has been acquiring land within the Ryhope subdivision at the request of owners with the intention of consolidating the land as one parcel for environmental protection purposes. There is only currently six properties not in Council ownership.</p> <p>On 10 November 2014, Council resolved (14CORP036) to use the Council owned land at Ryhope as a biodiversity offset site to offset a proposed development at 4B South Street, Windale for a proposed Masters store. As part of this recommendation, Council resolved to reclassify this land from operational to community, which will occur once actions from the vegetation management plan are completed.</p> <p>The site is heavily vegetated and is known to contain a number of <i>Grevillea parviflora subsp. parviflora</i> species. Rezoning this biodiversity offset site from E3 Environmental Management to E2 Environmental Conservation is consistent with previous Council resolutions for this land. At some point in the future when Council has acquired all remaining land parcels, the land may be transferred over to National Parks Estate, however as the timeframe for this is uncertain. The E2 zone will give the land a higher level of protection.</p>

Other Environmental Constraints	Bushfire prone land, Sensitive Aboriginal Landscape, Mine Subsidence
Consultation	<p>The RMS who own some on the lots advised, the lots have been declared public road under the care, control and management of Council. It is not considered that a rezoning would impact on the public road use of the lots, and as such Roads and Maritime has no comment on the proposal from a landowner perspective.</p> <p>Roads and Maritime raises no objection to or requirements for the proposed development as it is considered there will be no significant impact on the nearby classified (State) road network.</p>

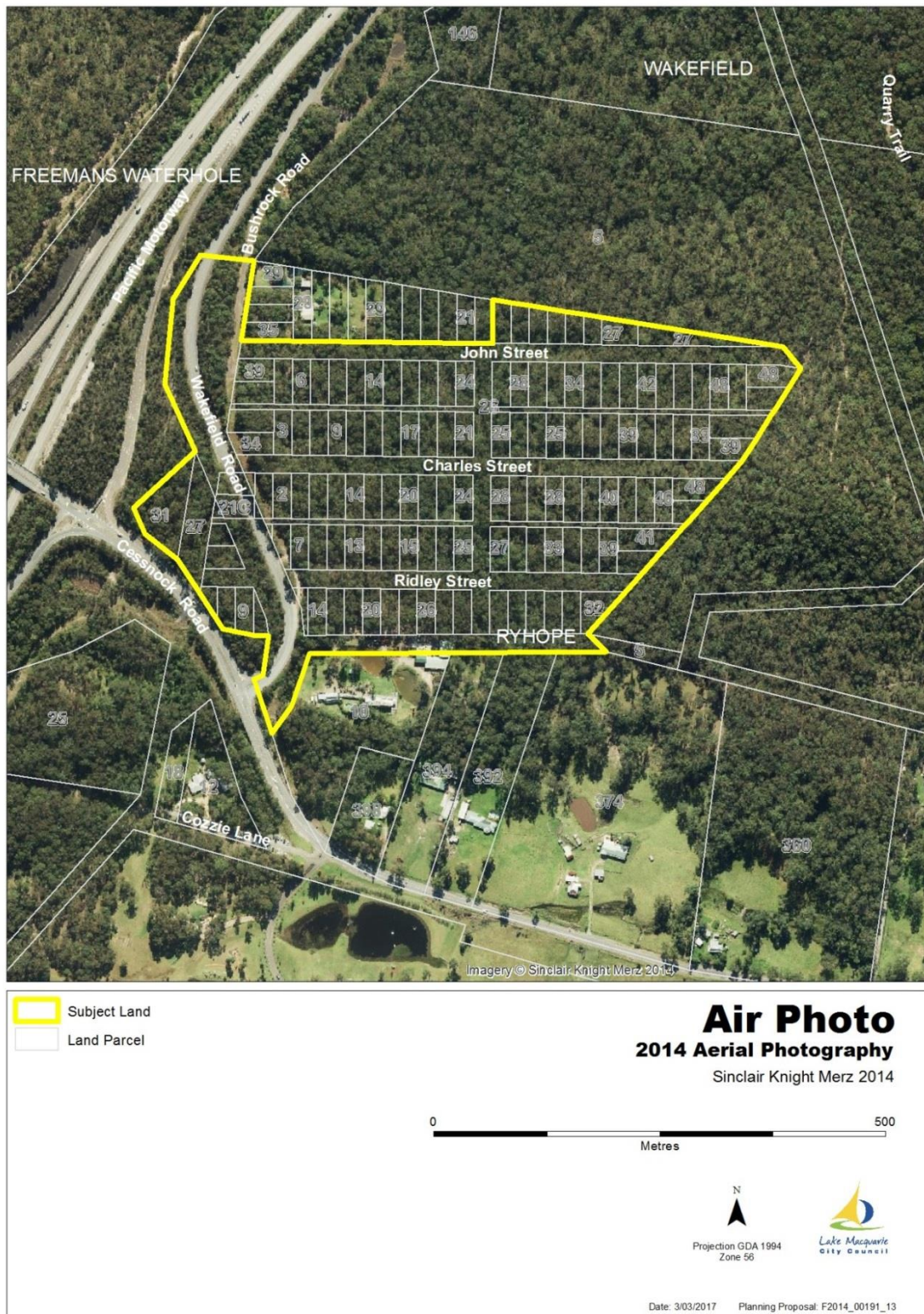


Figure 3: Aerial Photo – Item 1 – Ryhope Paper Subdivision

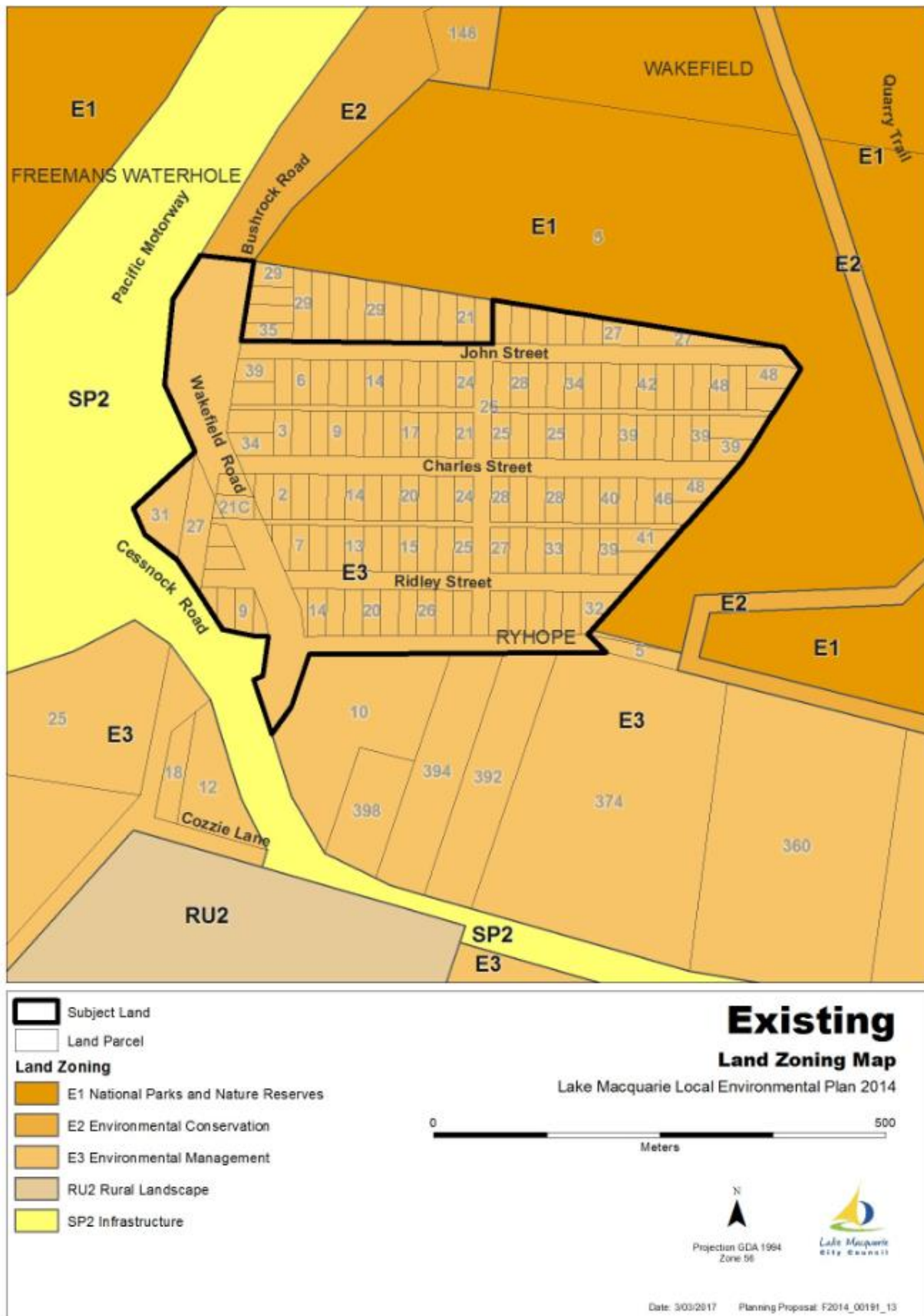


Figure 4: Existing Zoning - Item 1 - Ryhope Paper Subdivision

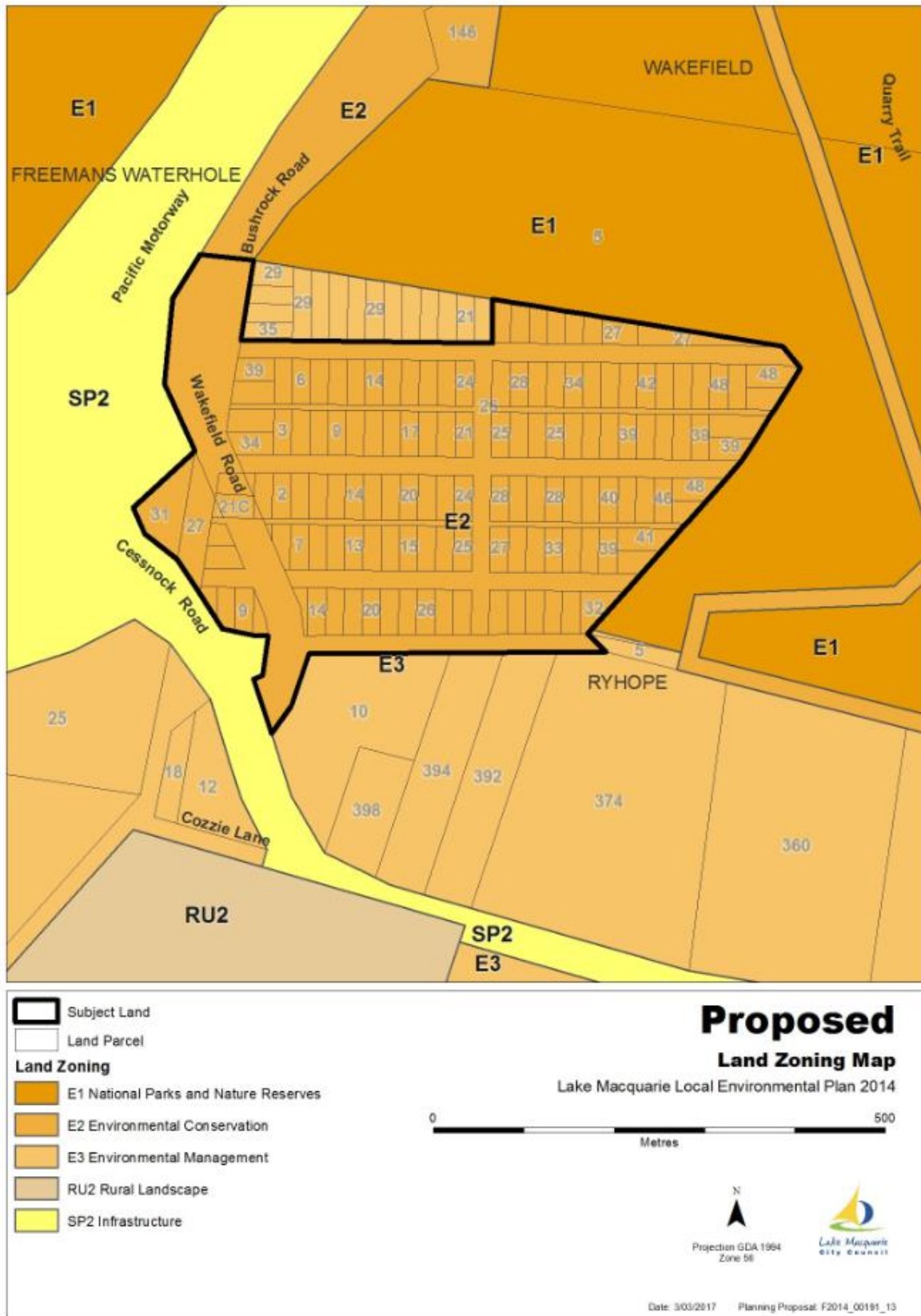


Figure 5: Proposed Zoning - Item 1 - Ryhope Paper Subdivision

Item 2 - Government Road, Nords Wharf

Item No. 2 – Government Road, Nords Wharf	
Address (the site)	139C Government Road, Nords Wharf (Lot PT 14 DP 26551 and 9C Crosswinds Close, Nords Wharf (Lot 19 DP 787339)
Owner:	Lake Macquarie City Council
Site area:	56, 726m ²
Existing Uses:	Bushland and unformed crown road
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation and R2 Low Density Residential
Background and Justification:	Vegetated parcel in good condition. Contains the Coastal Plains Smooth-barked Apple Woodland. This area is shown in Council's Plan of Management as a natural area. The portion proposed to be rezoned to R2 Low Density Residential is an unformed Crown road, which will be formed as part of the Nords Wharf subdivision of Coal and Allied Lands. The site is not identified in the Belmont Catchment Development Contributions Plan for future recreational use.
Other Environmental Constraints	Bushfire Prone, Mine Subsidence, Acid Sulphate Soils - Class 5, Sensitive Aboriginal Landscape, SEPP 71 – Coastal Policy



Figure 6: Aerial Photo – Item 2 – Government Road, Nords Wharf

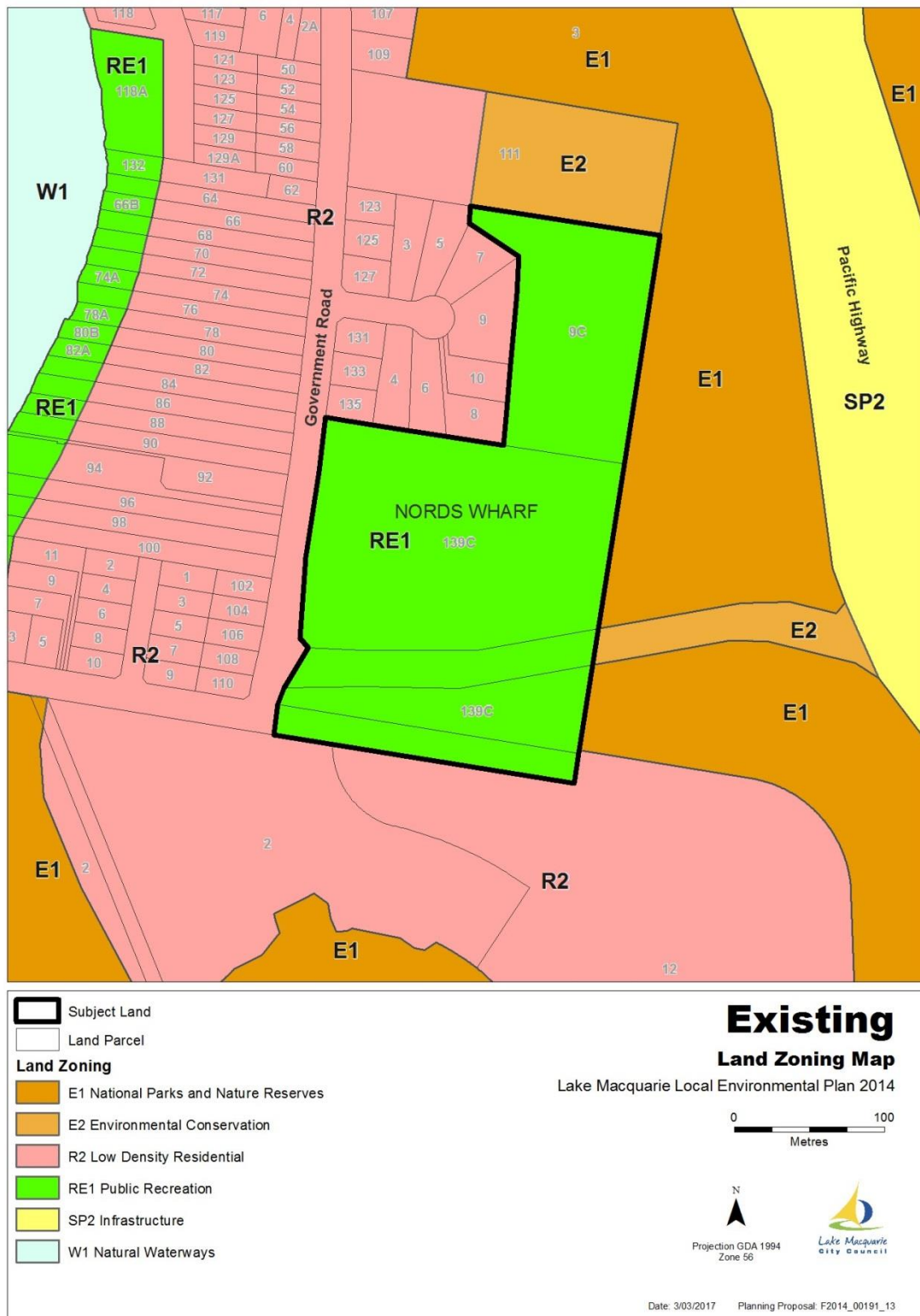


Figure 7: Existing Zoning – Item 2 – Government Road, Nords Wharf

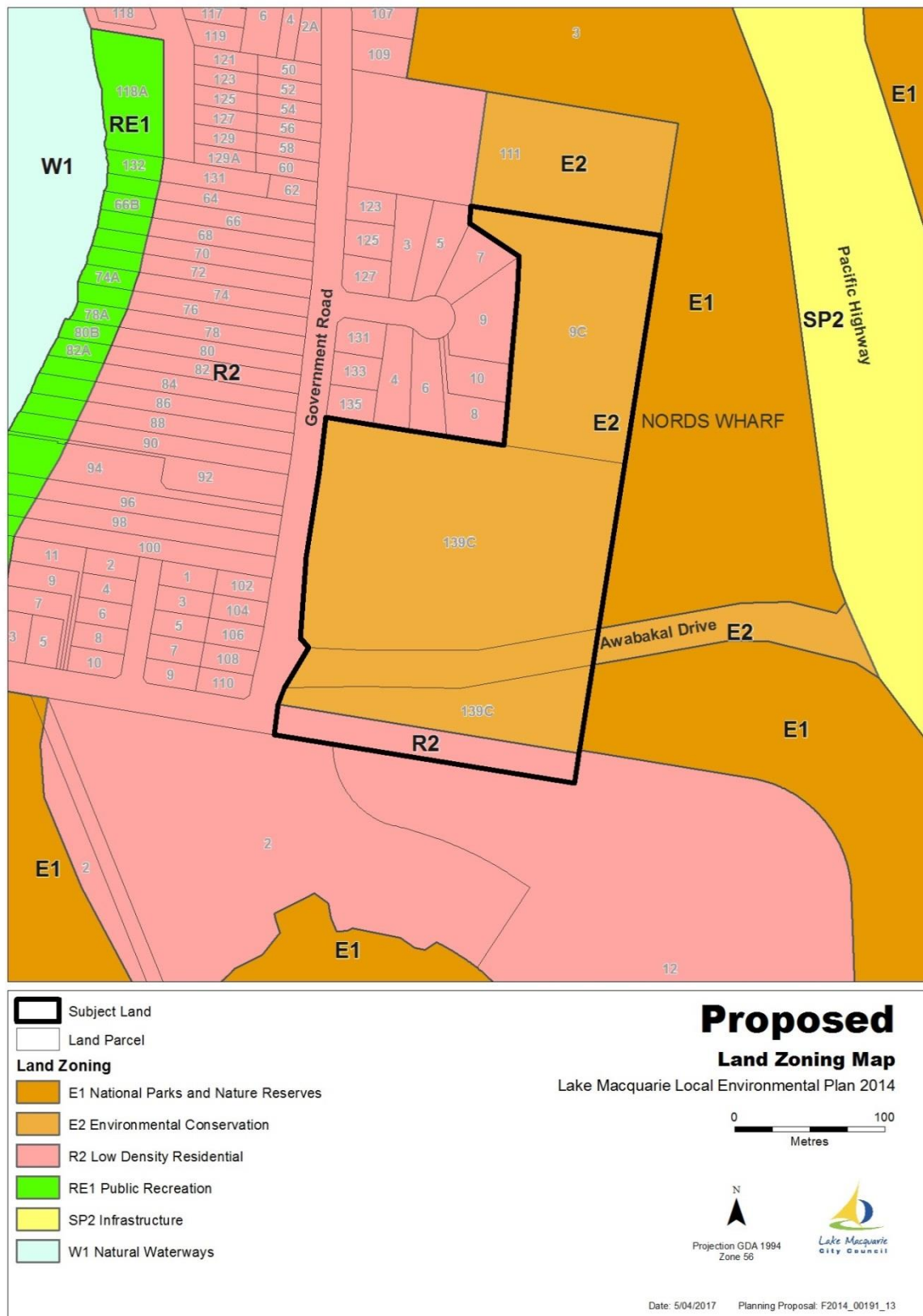


Figure 8: Proposed Zoning – Item 2 – Government Road, Nords Wharf

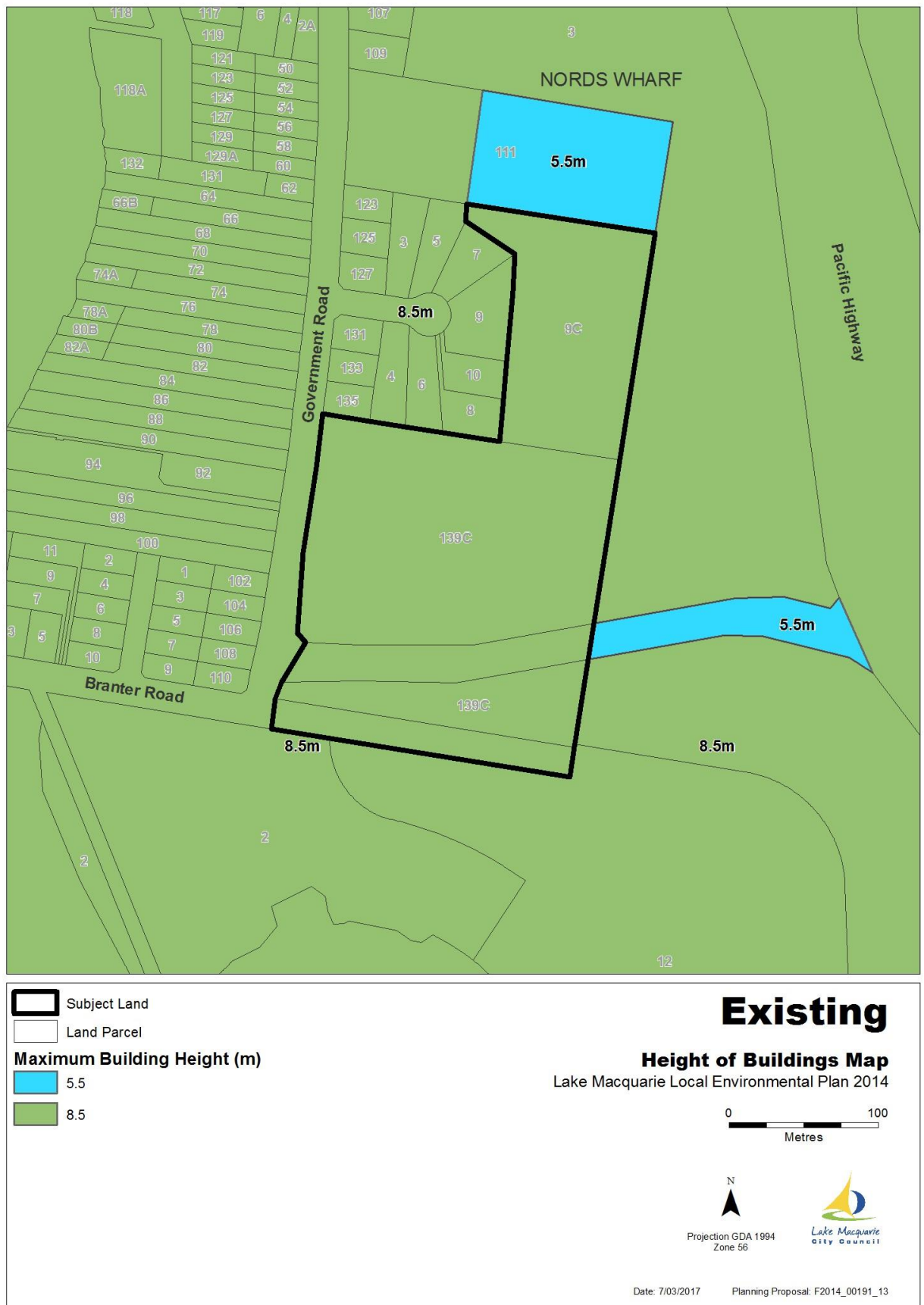


Figure 9: Existing Height of Building – Item 2 – Government Road, Nords Wharf

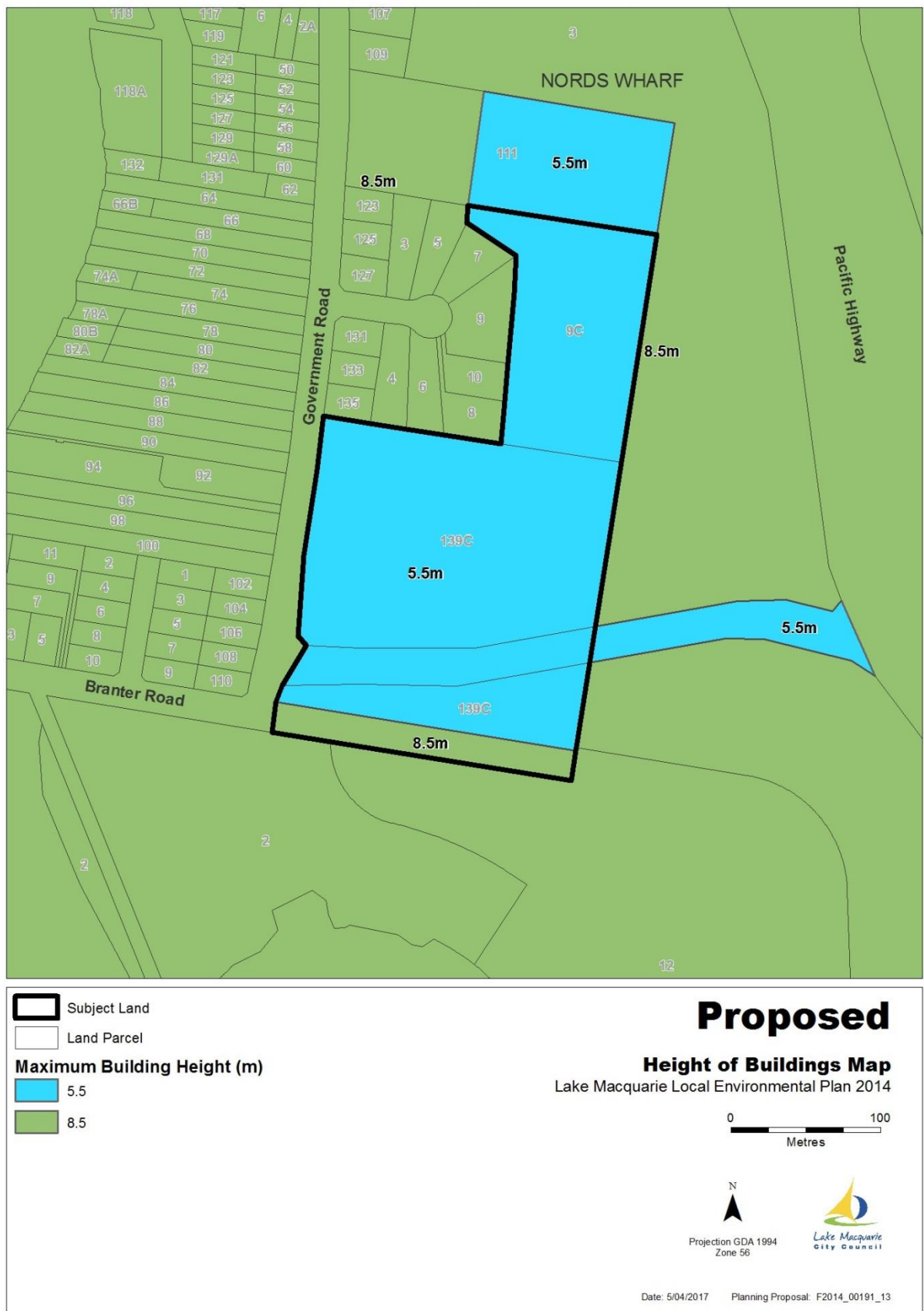


Figure 10: Proposed Height of Building – Item 2 – Government Road, Nords Wharf

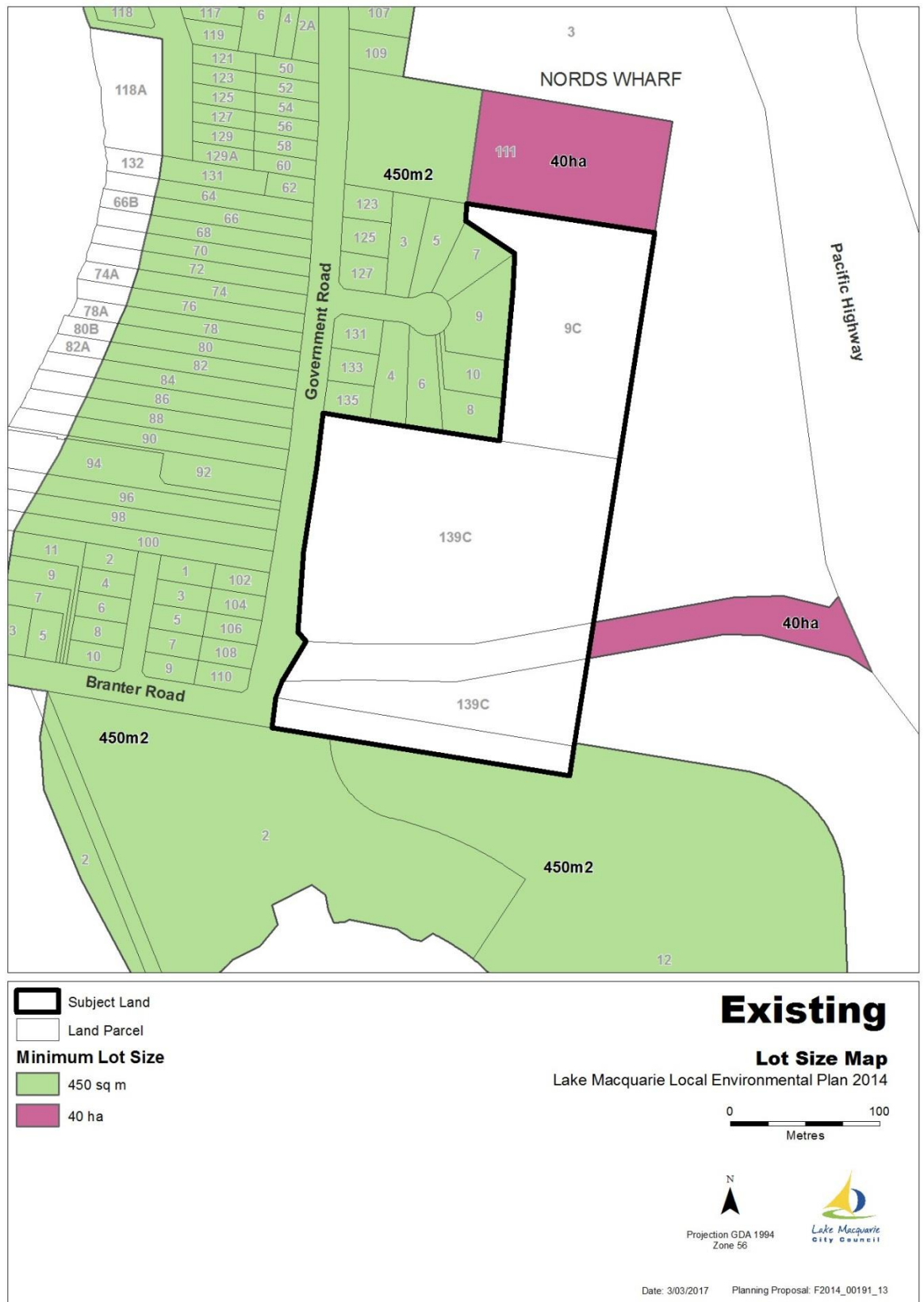


Figure 11: Existing Lot Size – Item 2 – Government Road, Nords Wharf

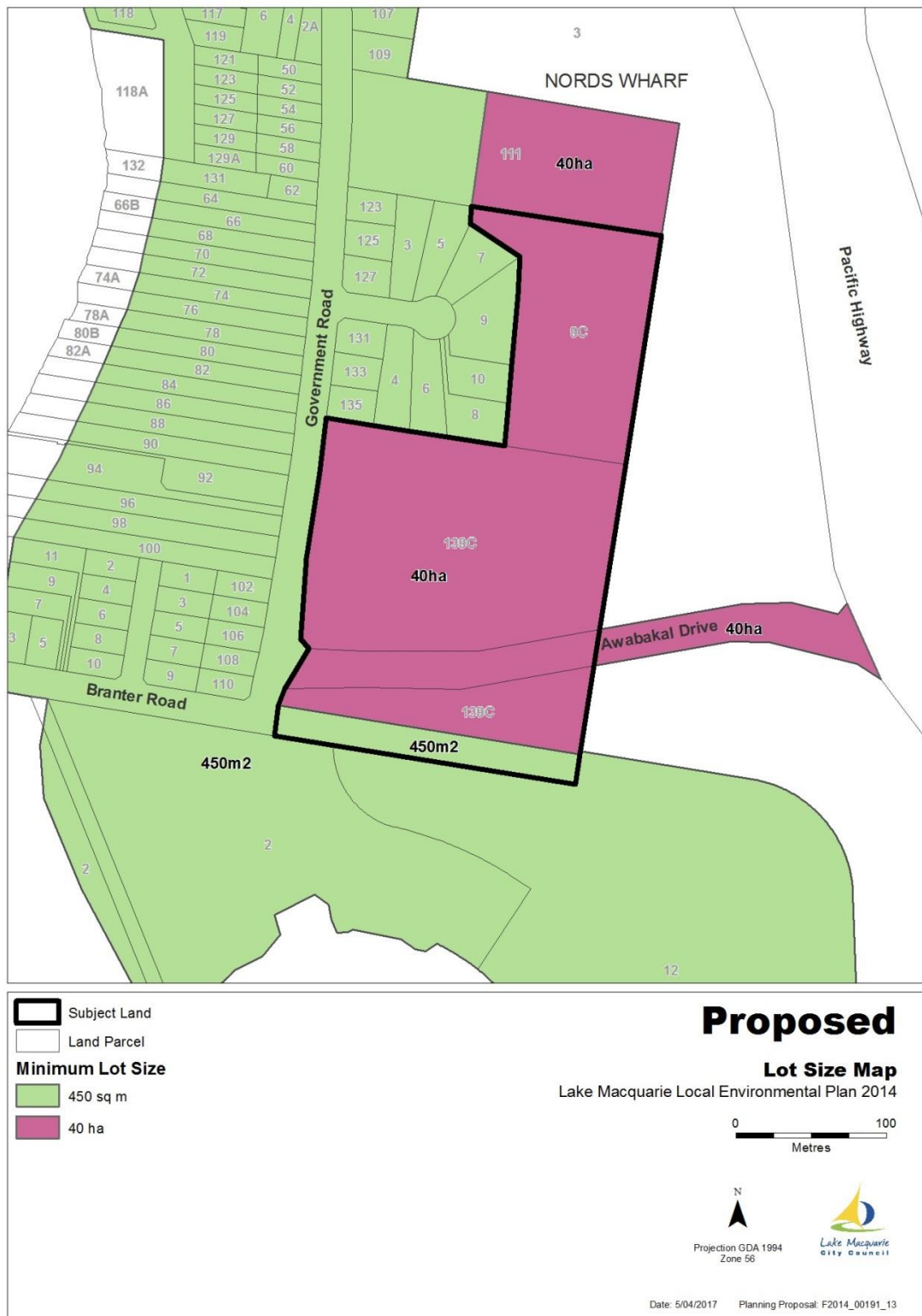


Figure 12: Proposed Lot Size – Item 2 – Government Road, Nords Wharf

Item 3 - Crangan Bay Drive, Cams Wharf

Item No. 3 – Crangan Bay Drive, Cams Wharf	
Address (the site)	Part 50 Crangan Bay Drive, Nords Wharf (Part Lot 1 DP 667040, Part Lot 1 DP 667041 and Part Lot 1 DP 975449) Wrightson Park – Part 15A Crangan Bay Drive, Cams Wharf (Part Lot 1 DP 616354)
Owner:	Lake Macquarie City Council
Site area:	25085m ²
Existing Uses:	Bushland adjoining Wrightson Park. Contains an unformed track joining the recreation areas.
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>The site contains the River-flat Eucalypt on Forest on Coastal Floodplains EEC and Possible Lowland Rainforest EEC. The site is shown as natural area in the plan of management. An E2 Environmental Conservation zone is warranted as the site contains EEC's. The area containing Wrightson Park and play area will be maintained in the RE1 Public Recreation zone.</p> <p>The site is not identified for recreational facilities in the Belmont Catchment Development Contributions Plan. However, the unformed track linking the recreation areas will be maintained.</p>
Other Environmental Constraints	Acid Sulfate Soils – Class 1,2 and 5, Bushfire Prone Land, Flood Control Lot – High Hazard, Sensitive Aboriginal Landscape, SEPP 71 – Coastal Policy, Mine Subsidence District



Figure 13: Aerial Photo - Item 3 - Crangan Bay Drive, Nords Wharf

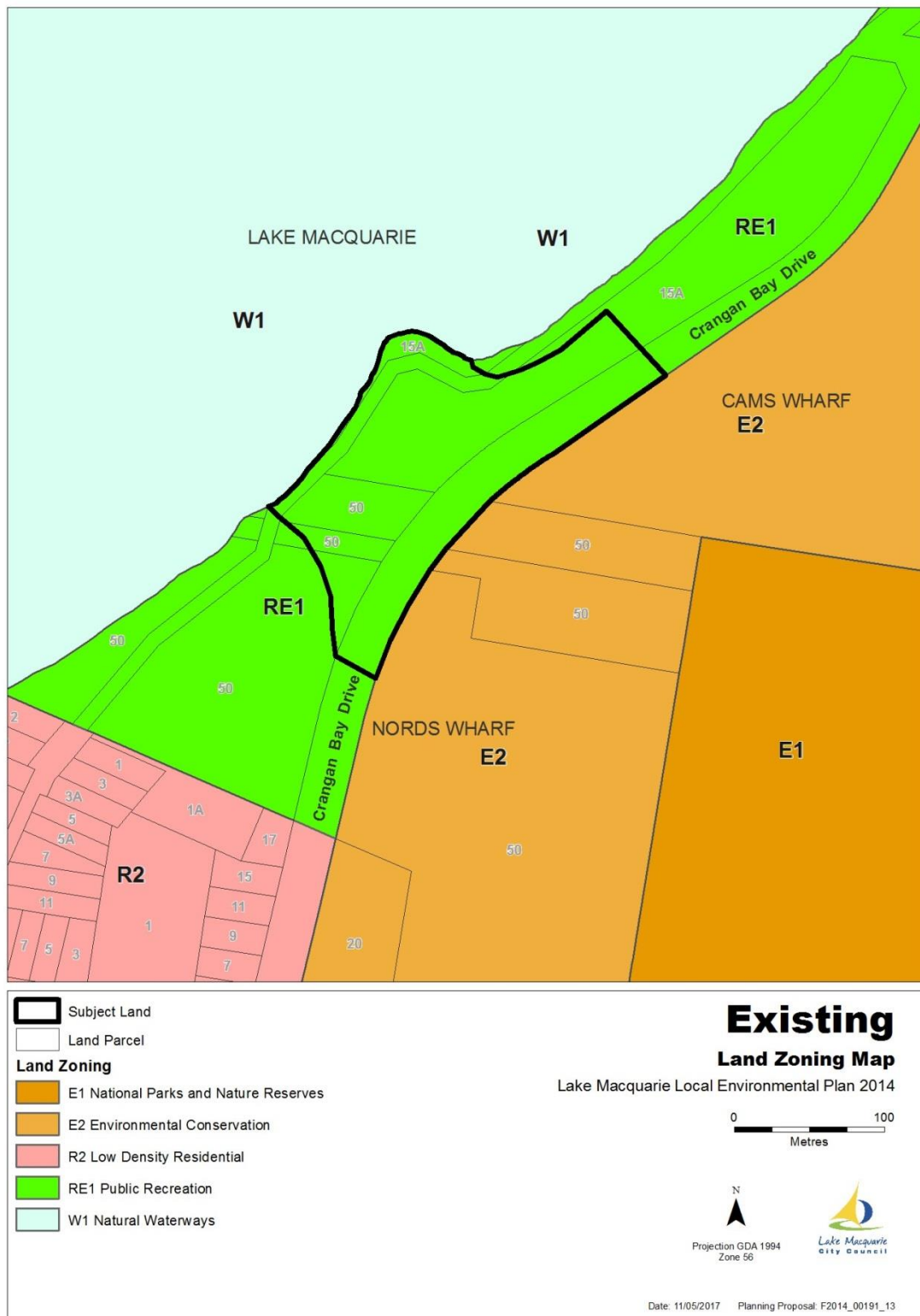


Figure 14: Existing Zoning - Item 3 - Crangan Bay Drive, Nords Wharf

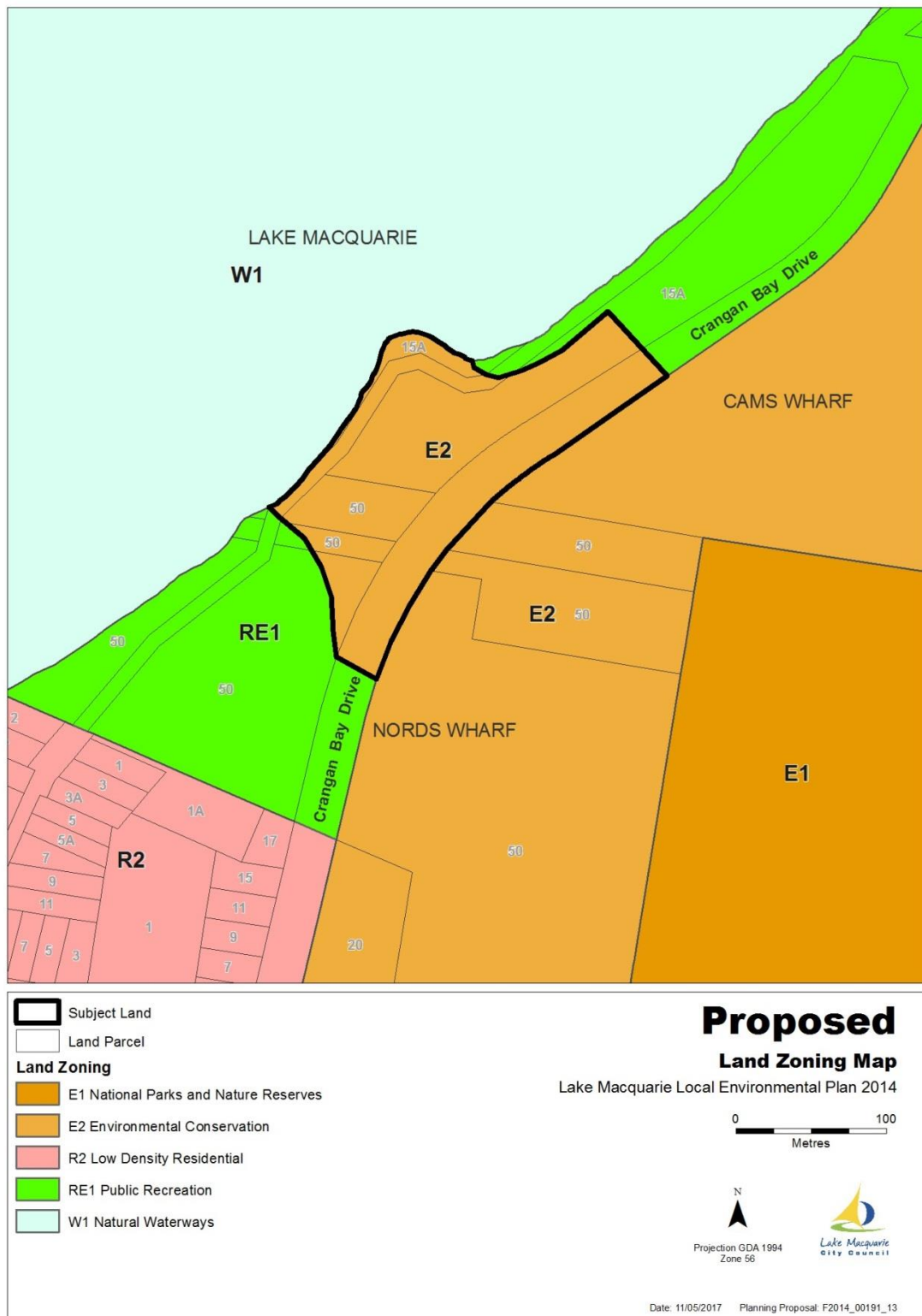


Figure 15: Proposed Zoning - Item 3 - Crangan Bay Drive, Nords Wharf



Figure 16: Existing Lot Size - Item 3 - Crangan Bay Drive, Nords Wharf

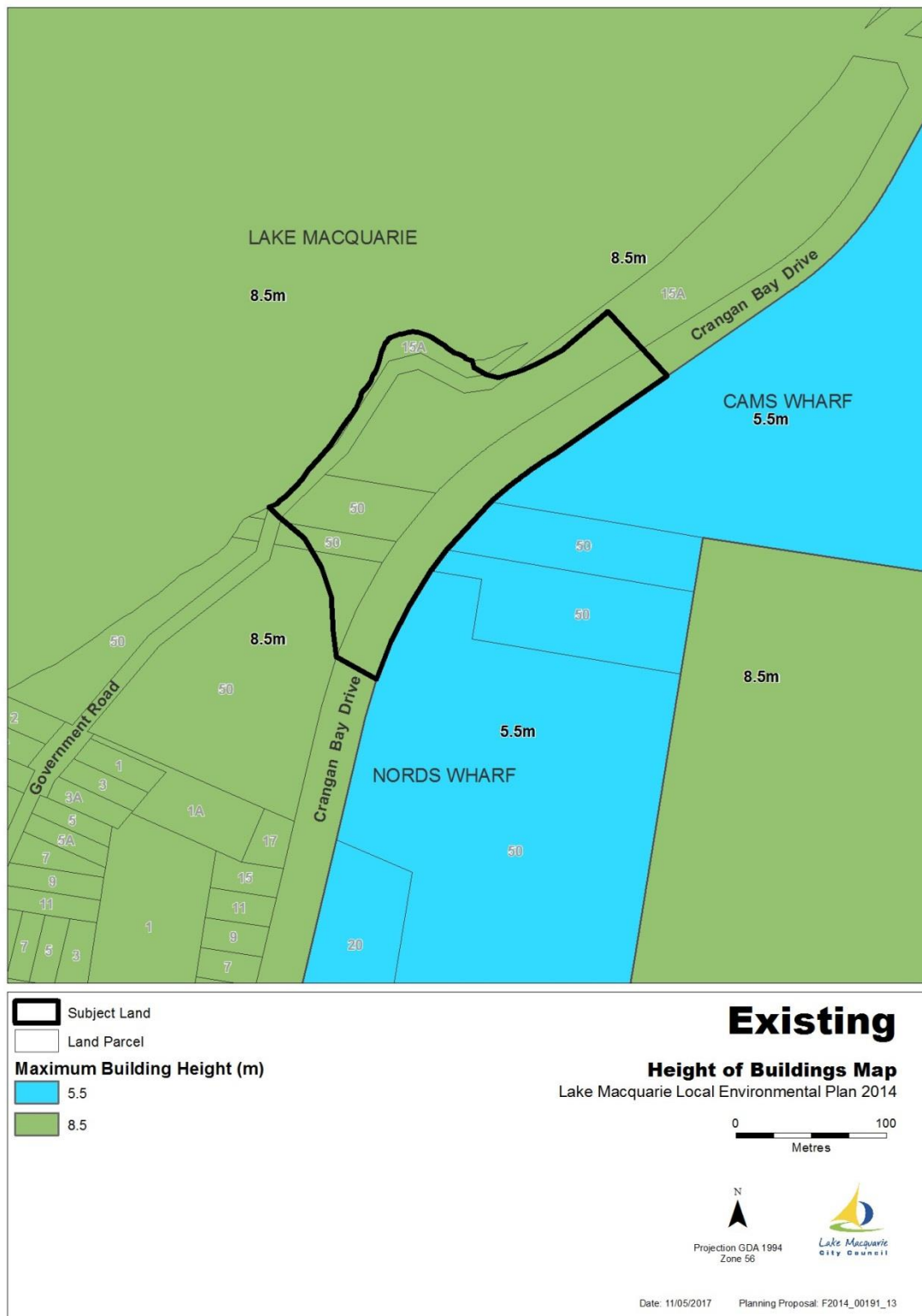



Figure 18: Existing Height of Building - Item 3 - Crangan Bay Drive, Nords Wharf



Figure 19: Proposed Height of Building - Item 3 - Crangan Bay Drive, Nords Wharf

Item 4 – Copper Valley Close, Caves Beach

Item 4 - 31 Copper Valley Close, Caves Beach (Lot 4 DP 785540)	
Address (the site)	31 Copper Valley Close, Caves Beach (Lot 4 DP 785540)
Owner:	Lake Macquarie City Council
Site area:	12250m ²
Existing Uses:	Bushland area between existing Caves Beach suburb and proposed North Wallarah development
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>North Wallarah Master Plan (Area Plan) shows this as public open space. Contains the Lake Macquarie Spotted Gum Forest community. The land is steep, thin and unsuitable for recreational use, besides walking trails. The land is not identified in the Belmont Catchment Development Contributions Plan for future recreational use. An E2 Environmental Conservation zone is more suitable for this area, reflecting that this land is a natural area in Council's Plan of Management for Community Land. The area is shown as a corridor in Council's Native Vegetation and Corridors Map. This area will connect to the North Wallarah development and whilst North Wallarah is zoned R1 General Residential this development will have defined building envelopes and the remaining section will contain vegetation. Whilst on a zoning map, this pocket may appear isolated, based on the proposed land use, there will be connections to Wallarah National Park.</p> <p>Extract from Native Vegetation and Corridors Map</p> 

Other Environmental Constraints	Acid Sulphate Soils Class 5, Bushfire Prone, Geotechnical zone restrictions, SEPP 71 – Coastal Protection
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Figure 20: Aerial Photo - Item 4 - Copper Valley Close, Caves Beach

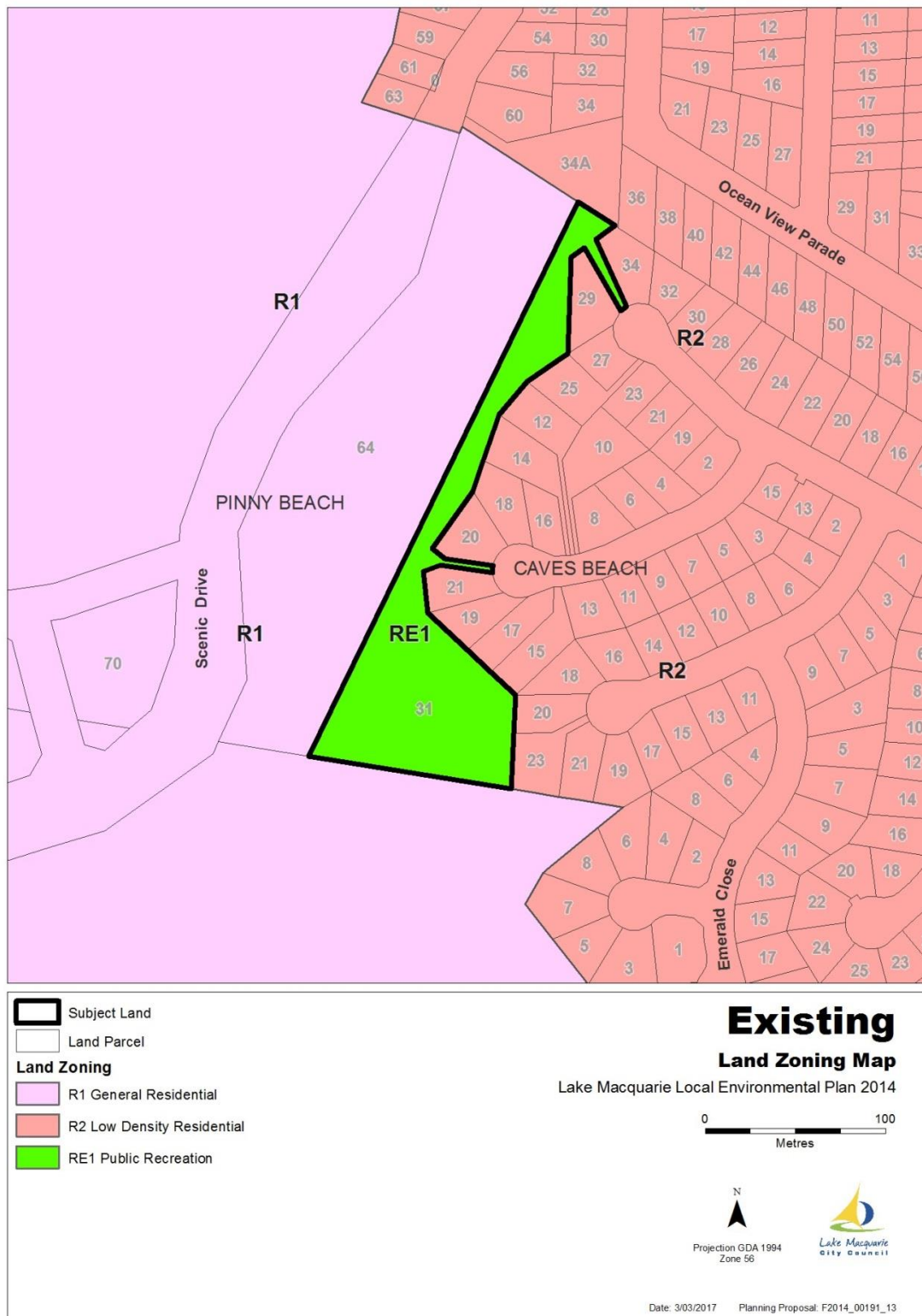


Figure 21: Existing Zoning - Item 4 - Copper Valley Close, Caves Beach

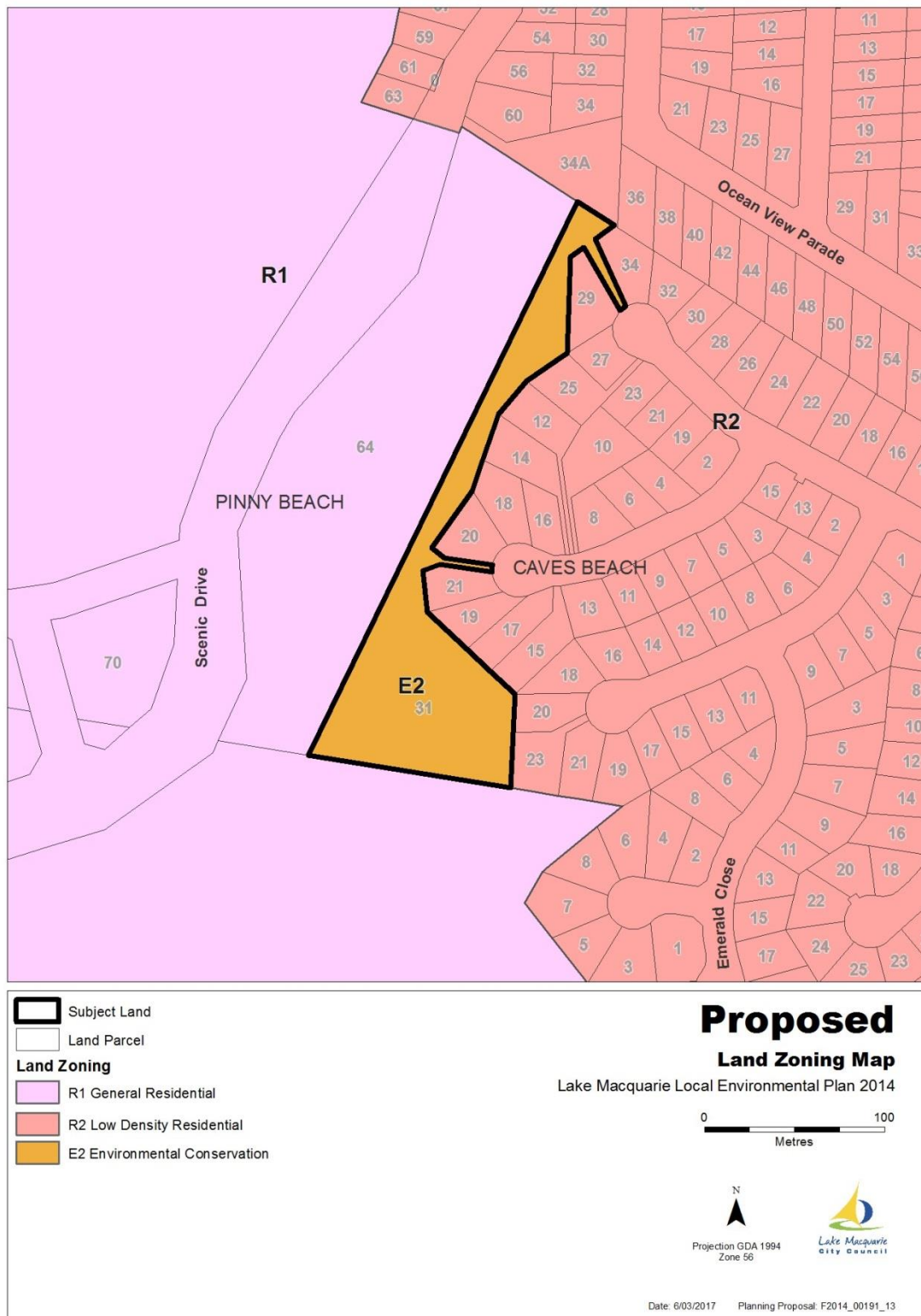


Figure 22: Proposed Zoning - Item 4 - Copper Valley Close, Caves Beach

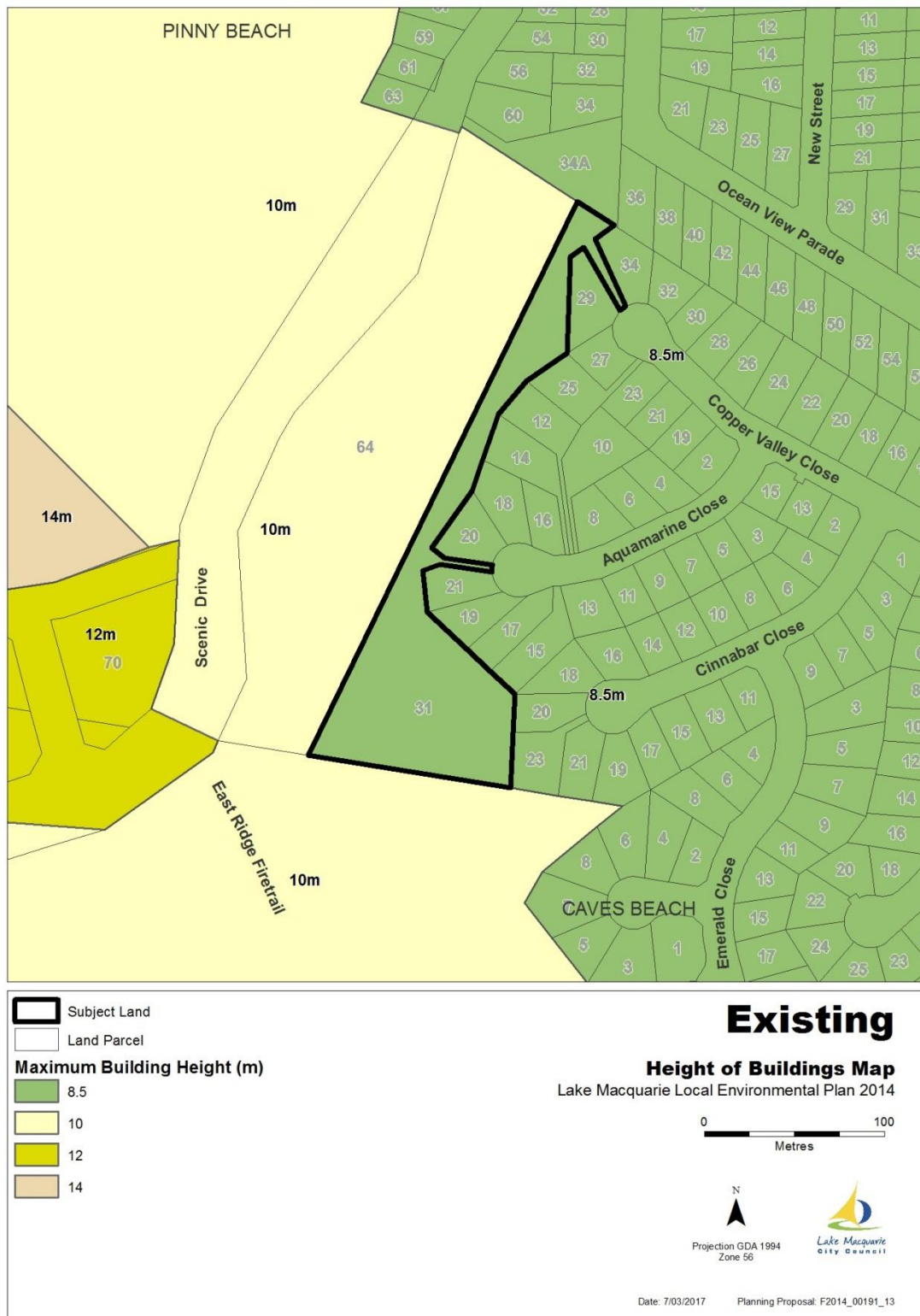
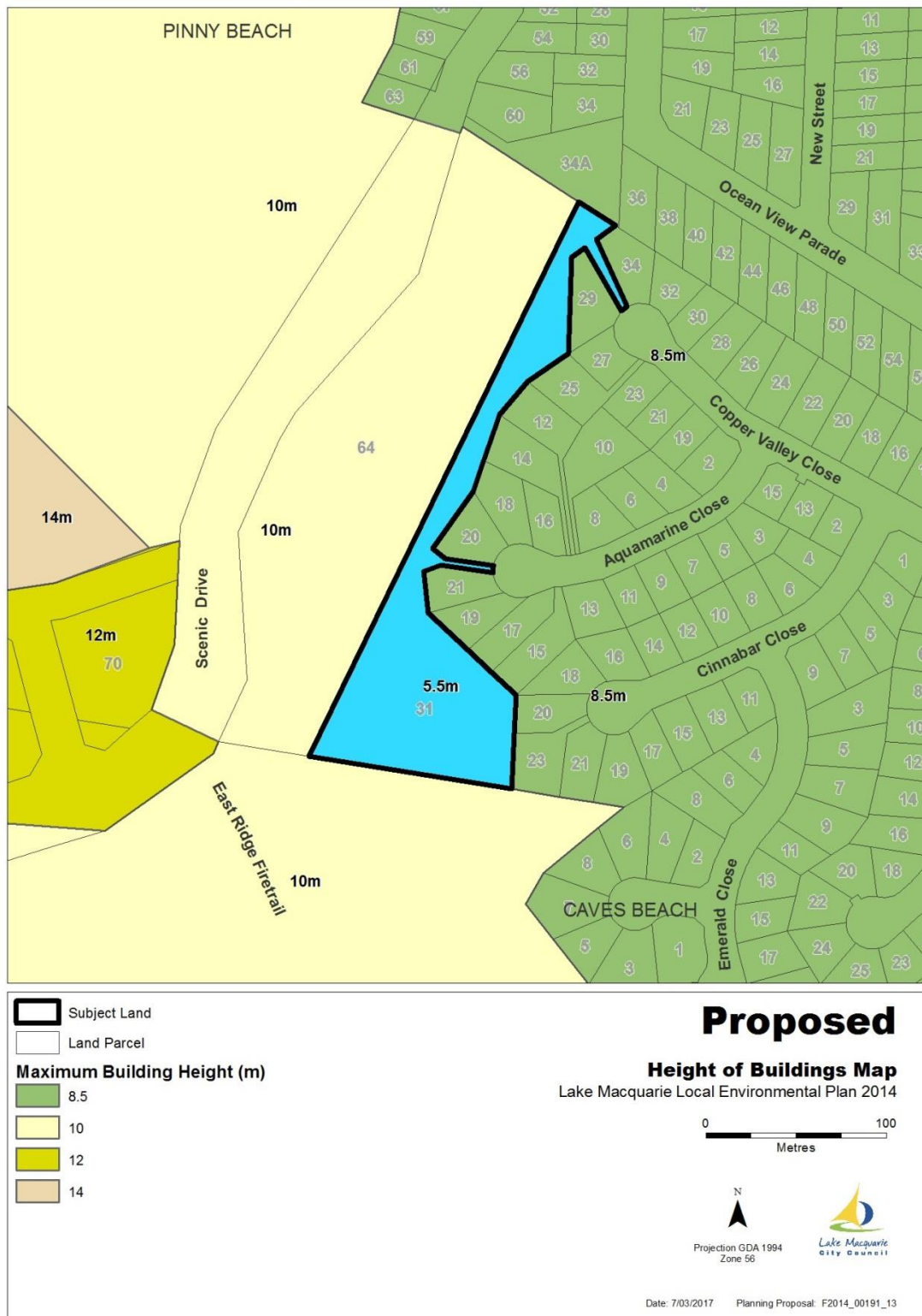


Figure 23: Existing Height of Building - Item 4 - Copper Valley Close, Caves Beach



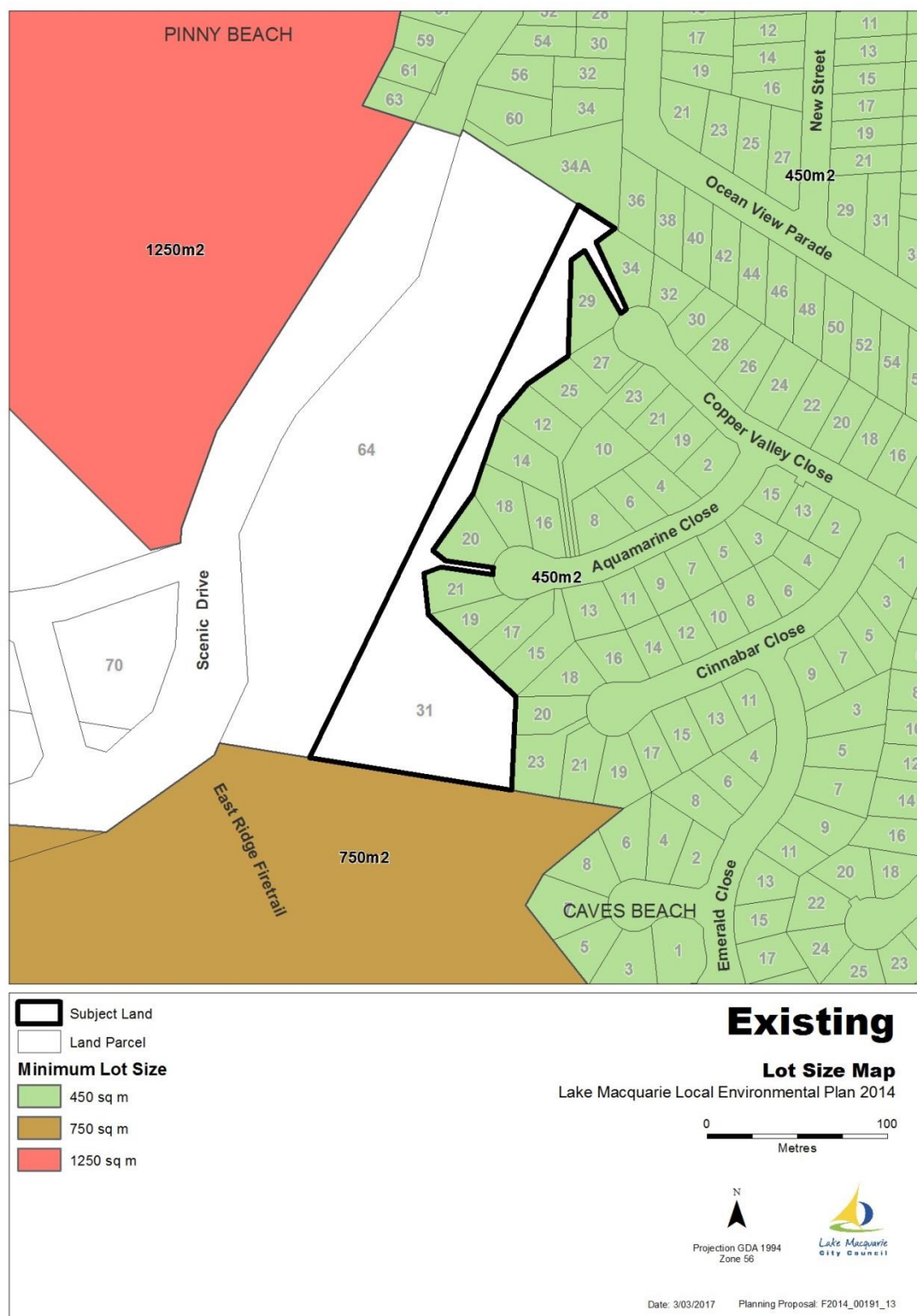


Figure 25: Existing Lot Size Map - Item 4 - Copper Valley Close, Caves Beach

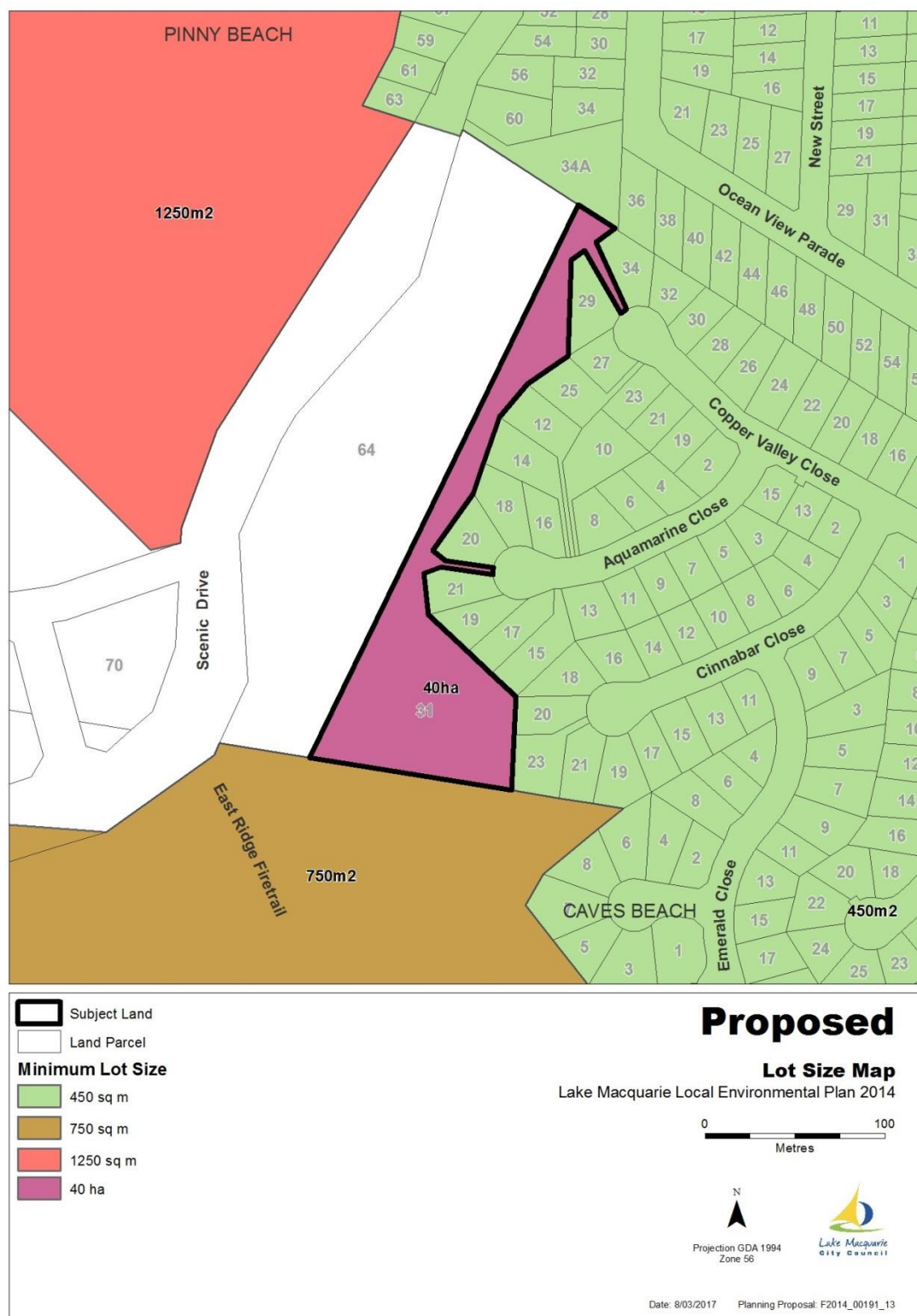


Figure 26: Proposed Lot Size Map - Item 4 - Copper Valley Close, Caves Beach

Item 5 – Caves Beach Sports Complex

Item 5 - Caves Beach Sports Complex	
Address (the site)	Caves Beach Sports Complex – Part 104 Park Avenue, Caves Beach (Part Lot 91 DP 559188)
Owner:	Lake Macquarie City Council
Site area:	27762m ²
Existing Uses:	Bushland and natural watercourse adjoining the Caves Beach Sports Complex
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	<p>Rezone the bushland area and watercourse from RE1 Public Recreation to E2 Environmental Conservation. No changes will be made to the recreation zone where the Caves Beach Sports Complex is located.</p> <p>The Belmont Catchment Contributions Plan does not identify any additional recreational facilities for this site, noting that the site is unsuitable as this is part of a natural watercourse.</p>
Background and Justification:	<p>The site contains the vegetation communities: Hunter Valley Moist Forest and the Swamp Sclerophyll Forest on Coastal Floodplains EEC as well as a number of corridors. The EEC is defined by the purple (vegetation community 37) shown below. This area will connect to the North Wallarah development and whilst North Wallarah is zoned R1 General Residential, this development will have defined building envelopes and the remaining section will contain vegetation. Whilst on a zoning map, this pocket may appear isolated, based on the proposed land use, there will be corridor connections.</p> <p>Vegetation Communities</p>

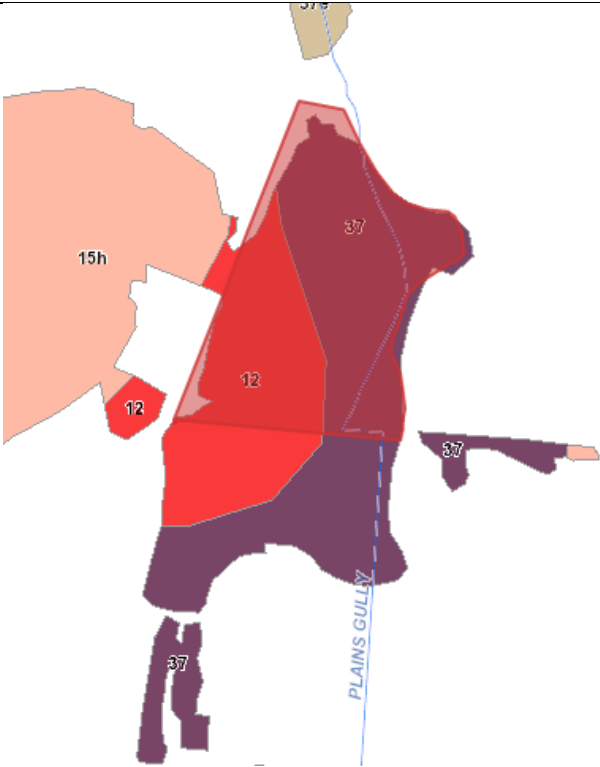
	
Other Environmental Constraints	Acid Sulfate Soils Class 3 and 5, Bushfire Prone Land, Natural Watercourse, SEPP 71 – Coastal Policy, Mine Subsidence, Flood Control Lot Low Hazard



Figure 27: Aerial Photo - Item 5 - Caves Beach Sports Complex

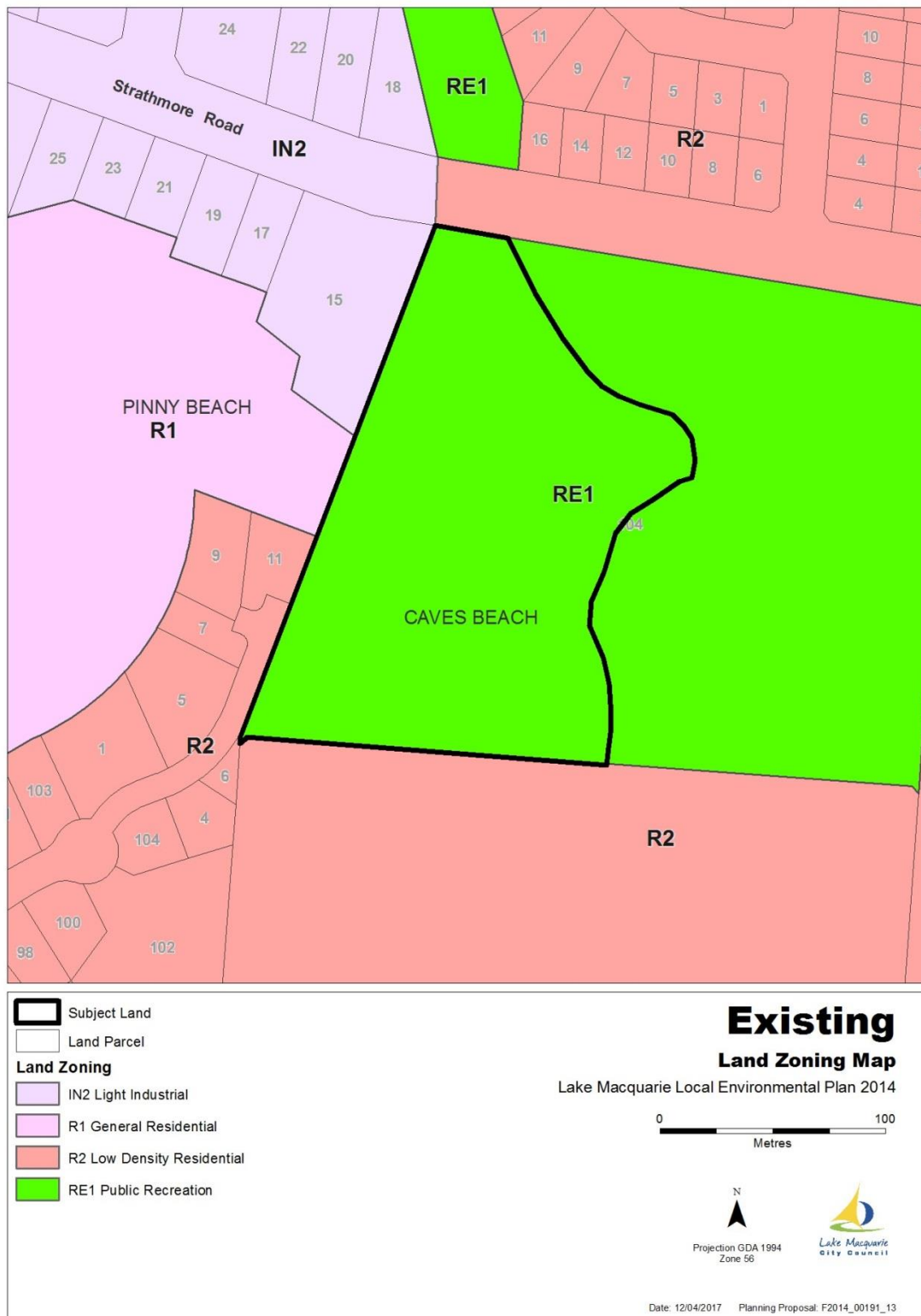


Figure 28: Existing Zoning - Item 5 - Caves Beach Sports Complex

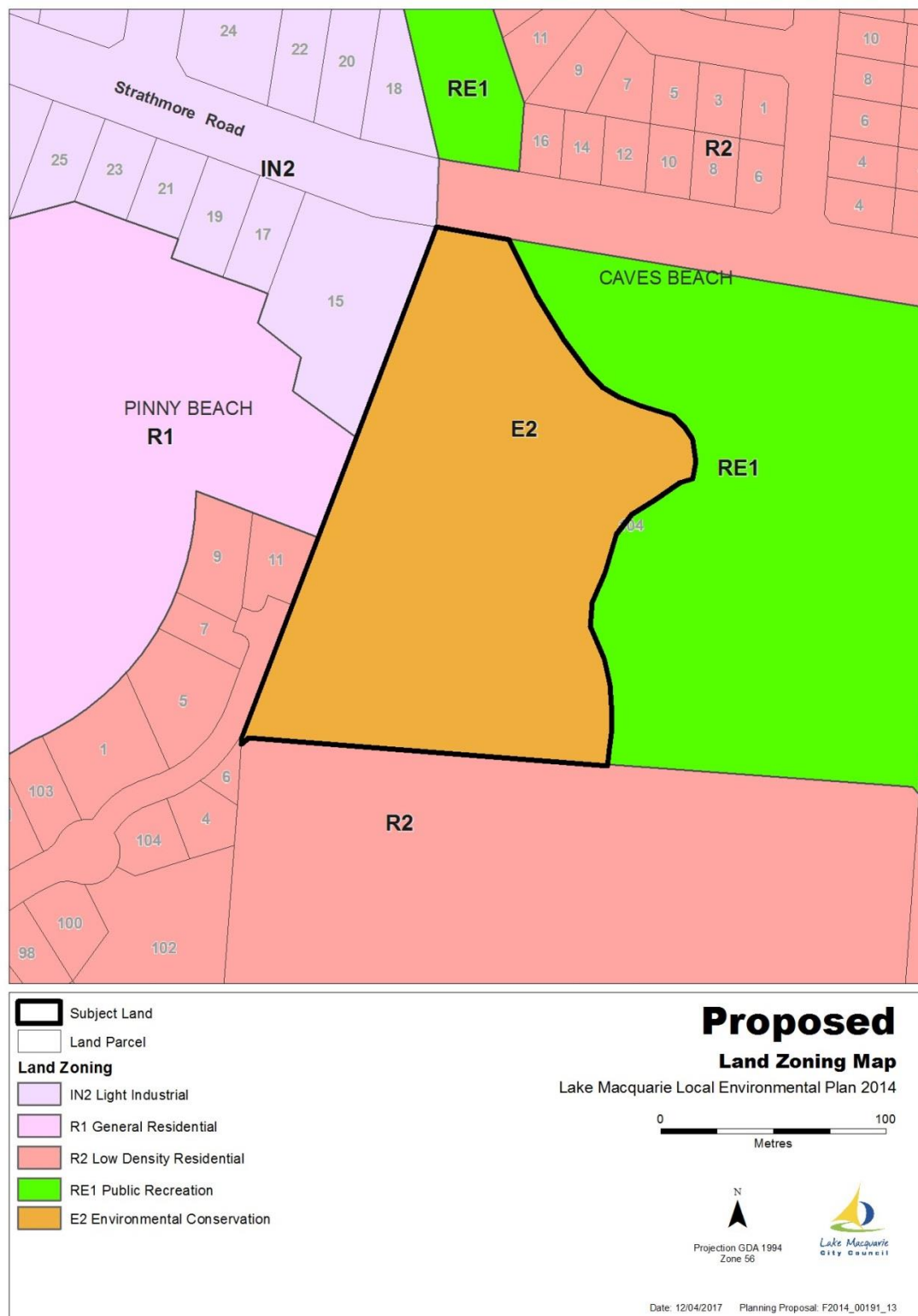


Figure 29: Proposed Zoning - Item 5 - Caves Beach Sports Complex

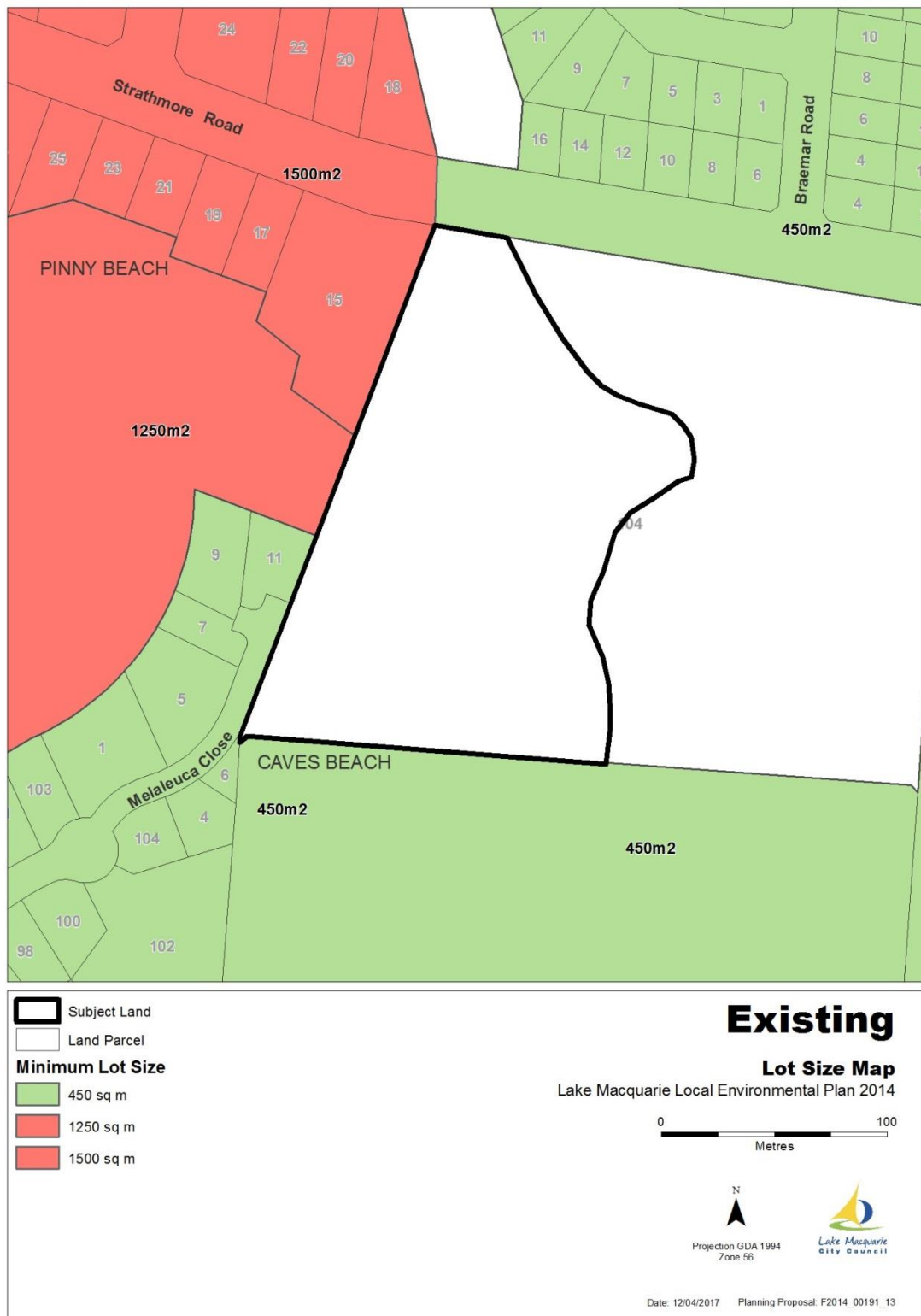


Figure 30: Existing Lot Size - Item 5 - Caves Beach Sports Complex

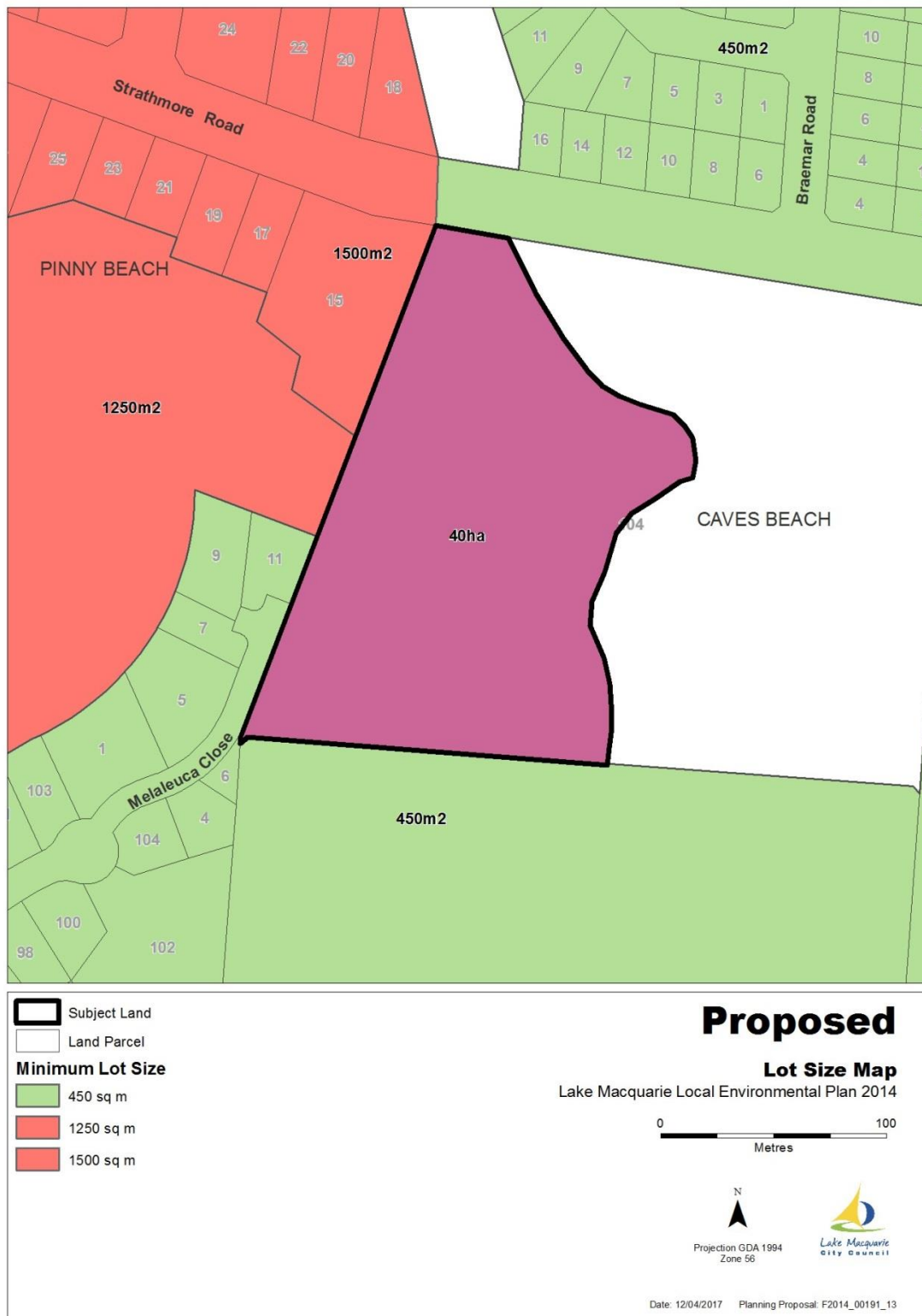


Figure 31: Proposed Lot Size - Item 5 - Caves Beach Sports Complex

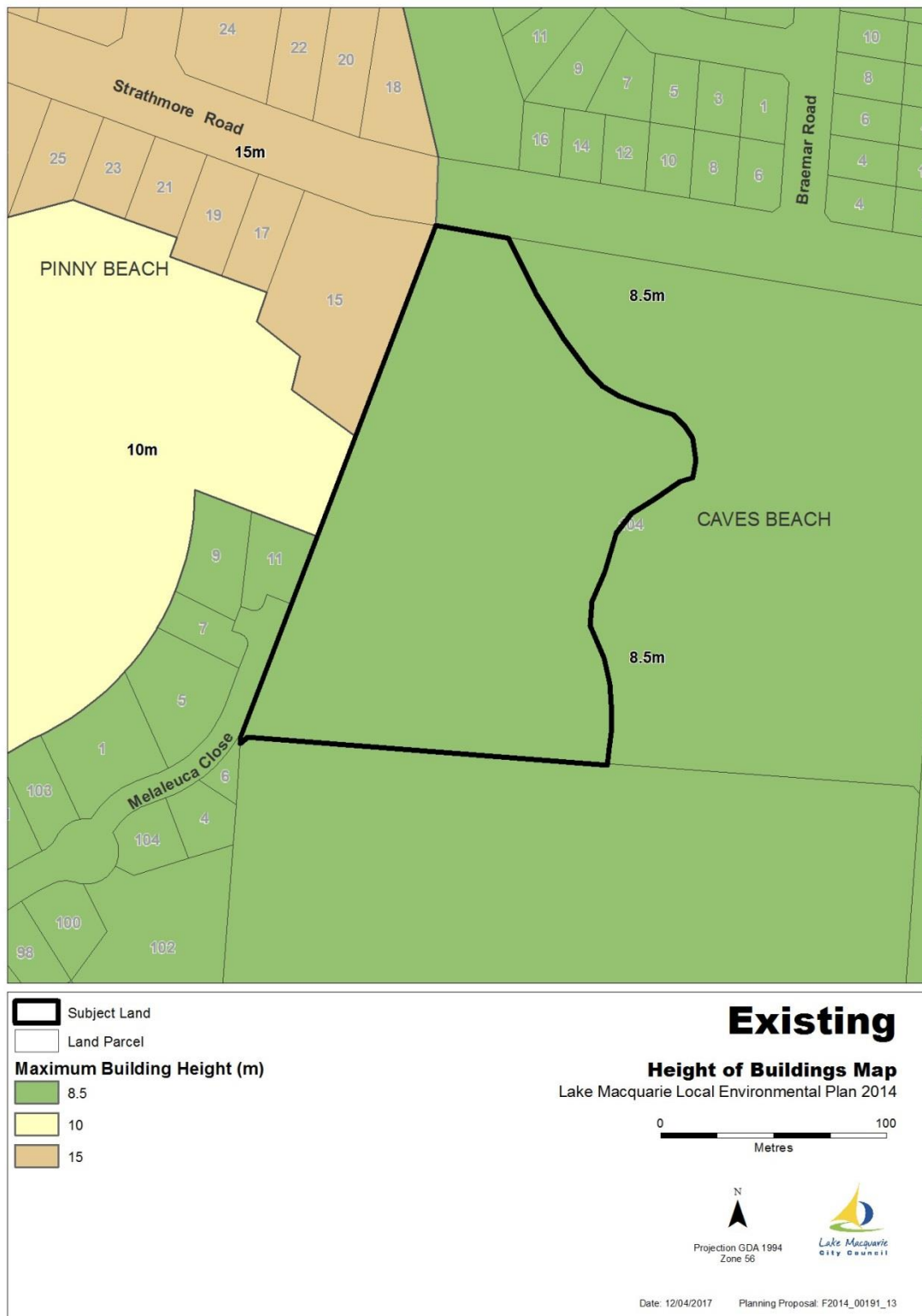


Figure 32: Existing Height of Building - Item 5 - Caves Beach Sports Complex

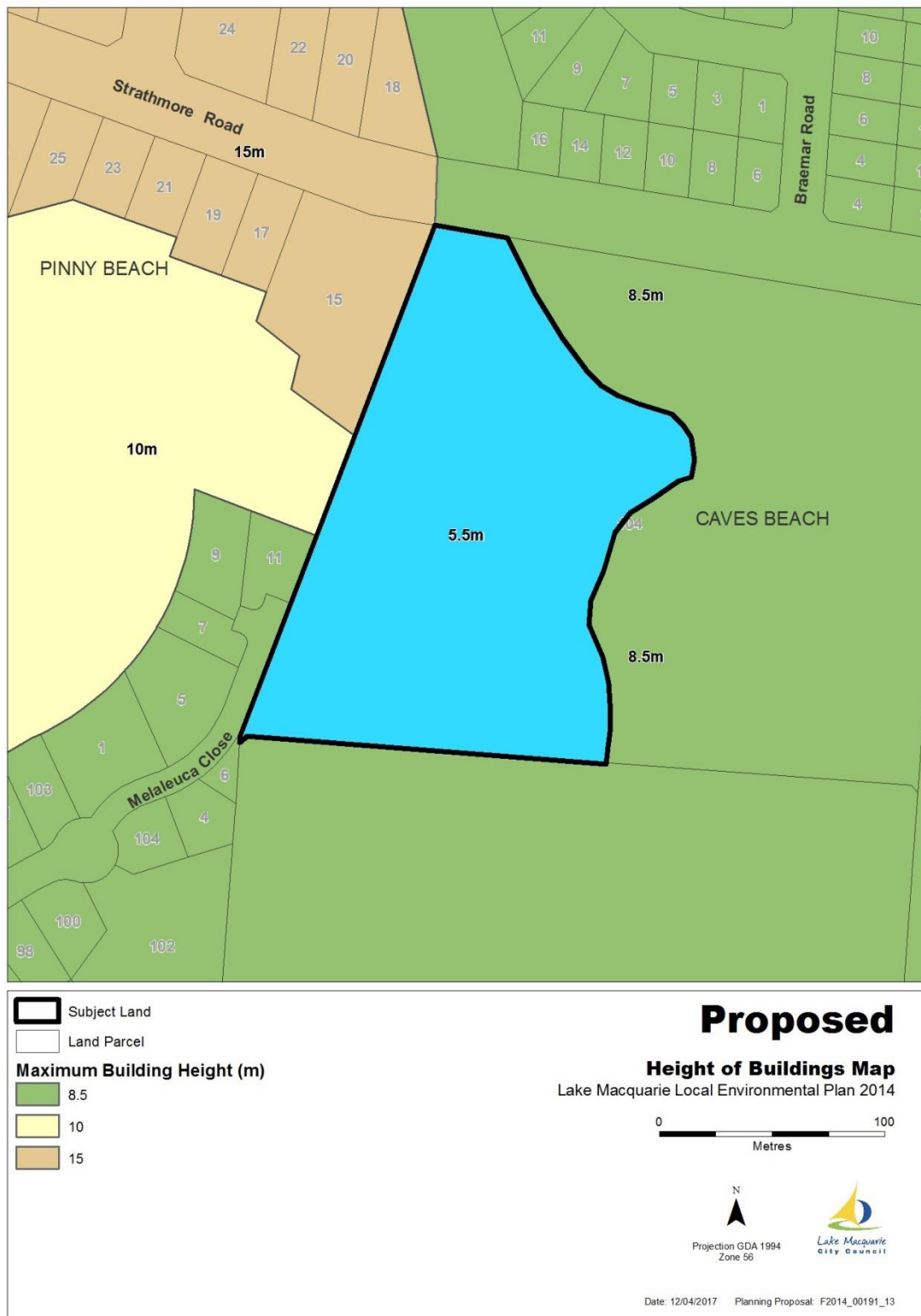


Figure 33: Proposed Height of Building - Item 5 - Caves Beach Sports Complex

Item 6 – Jody Close, Jewells

Item 6 – 6 Jody Close, Jewells	
Address (the site)	Part 6 Jody Close, Jewells (Part Lot 189 DP 255591)
Owner:	LMCC
Site area:	14762m ²
Existing Uses:	Vegetated reserve.
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone the site from RE1 Public Recreation to E2 Environmental Conservation.
Background and Justification:	<p>Site contains Swamp Sclerophyll Forest on Coastal Floodplains EEC and part of tributary to Crockers Creek and the Jewells Wetland and has an ecological function.</p> <p>The site is not identified in the Charlestown Recreation and Land Plan and Development Contributions Plan as being required for recreational purposes and the site is considered unsuitable for this use as it contains a creekline, wetland EEC communities and being partly high hazard flood prone land.</p>
Other Environmental Constraints	Acid Sulphate Soils Class 5, Bushfire Prone, Flood Control Lot – High Hazard and Natural Watercourse.



Figure 34: Aerial Photo - Item 6 - 6 Jody Close, Jewells

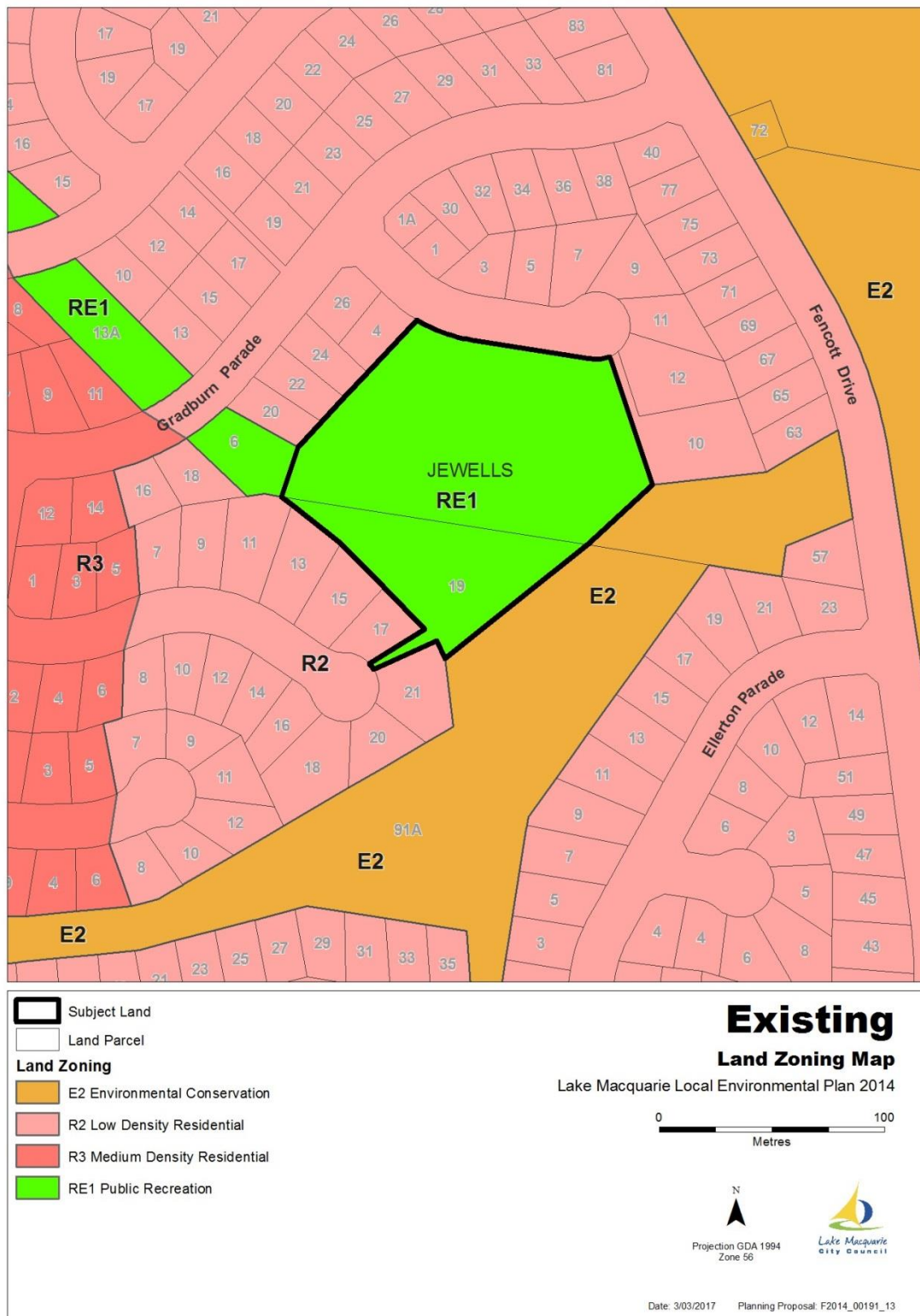


Figure 35 - Existing Zoning - Item 6 - 6 Jody Close, Jewells

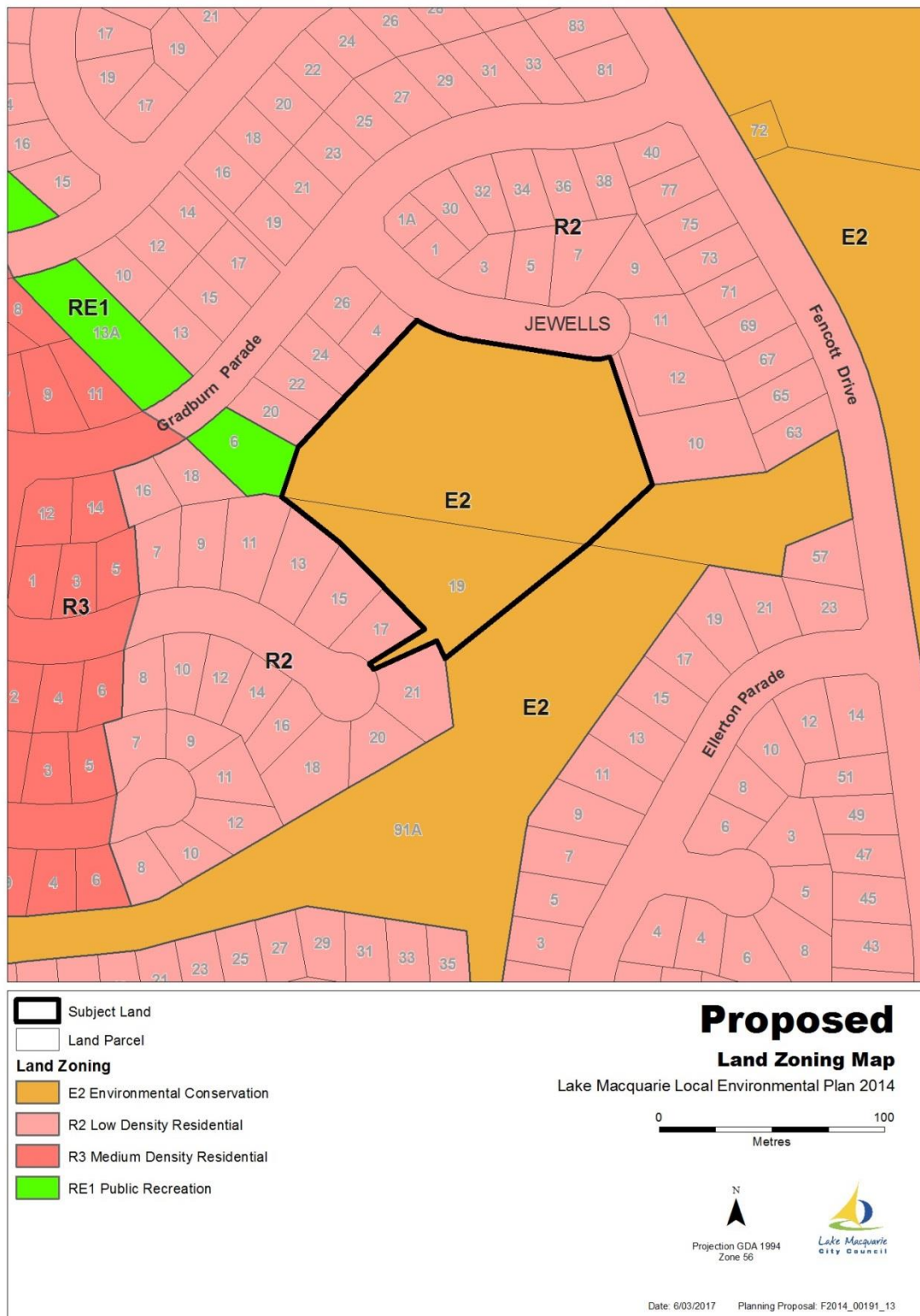


Figure 36: Proposed Zoning - Item 6 - 6 Jody Close, Jewells

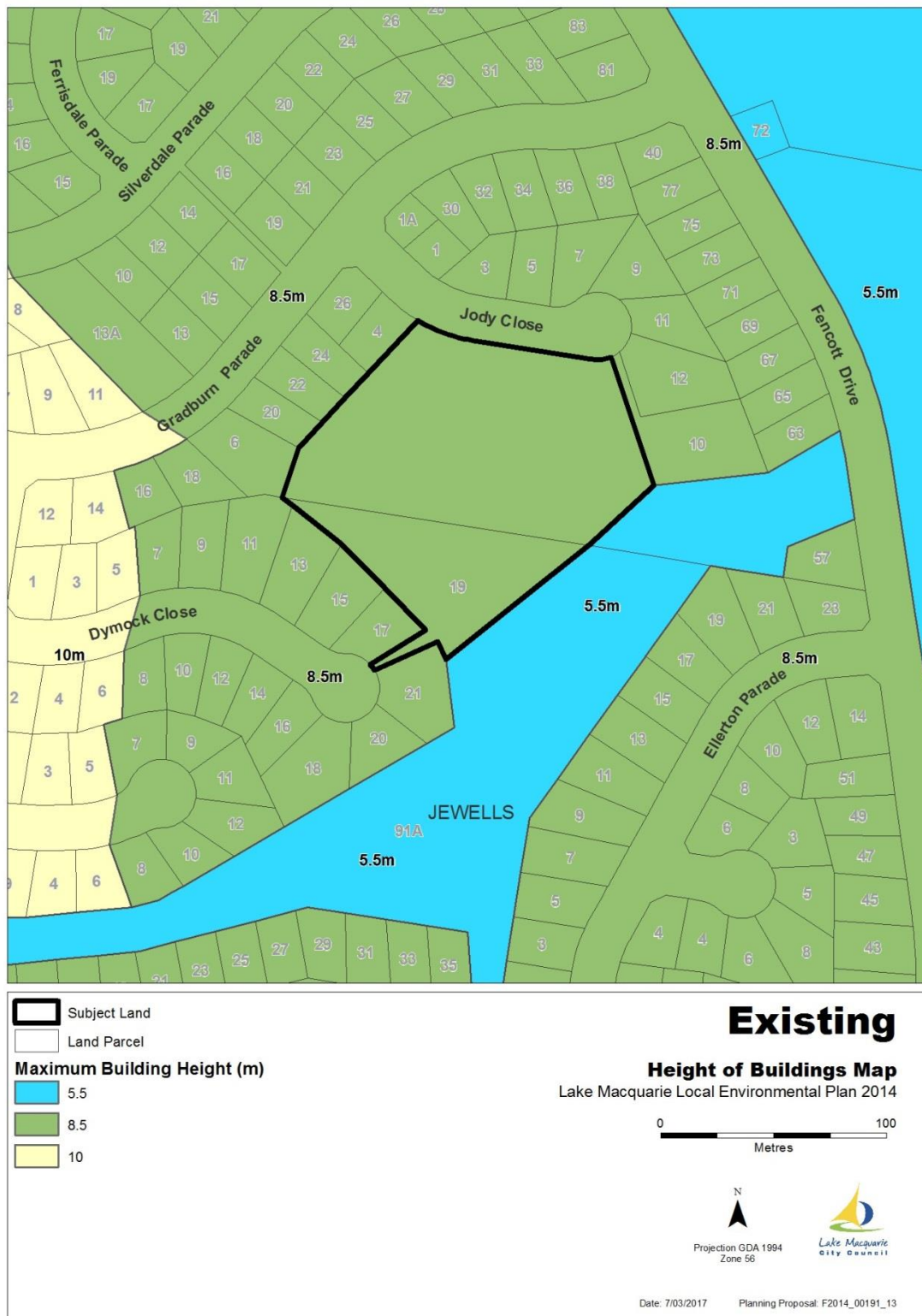


Figure 37: Existing Height of Building - Item 6 - 6 Jody Close, Jewells

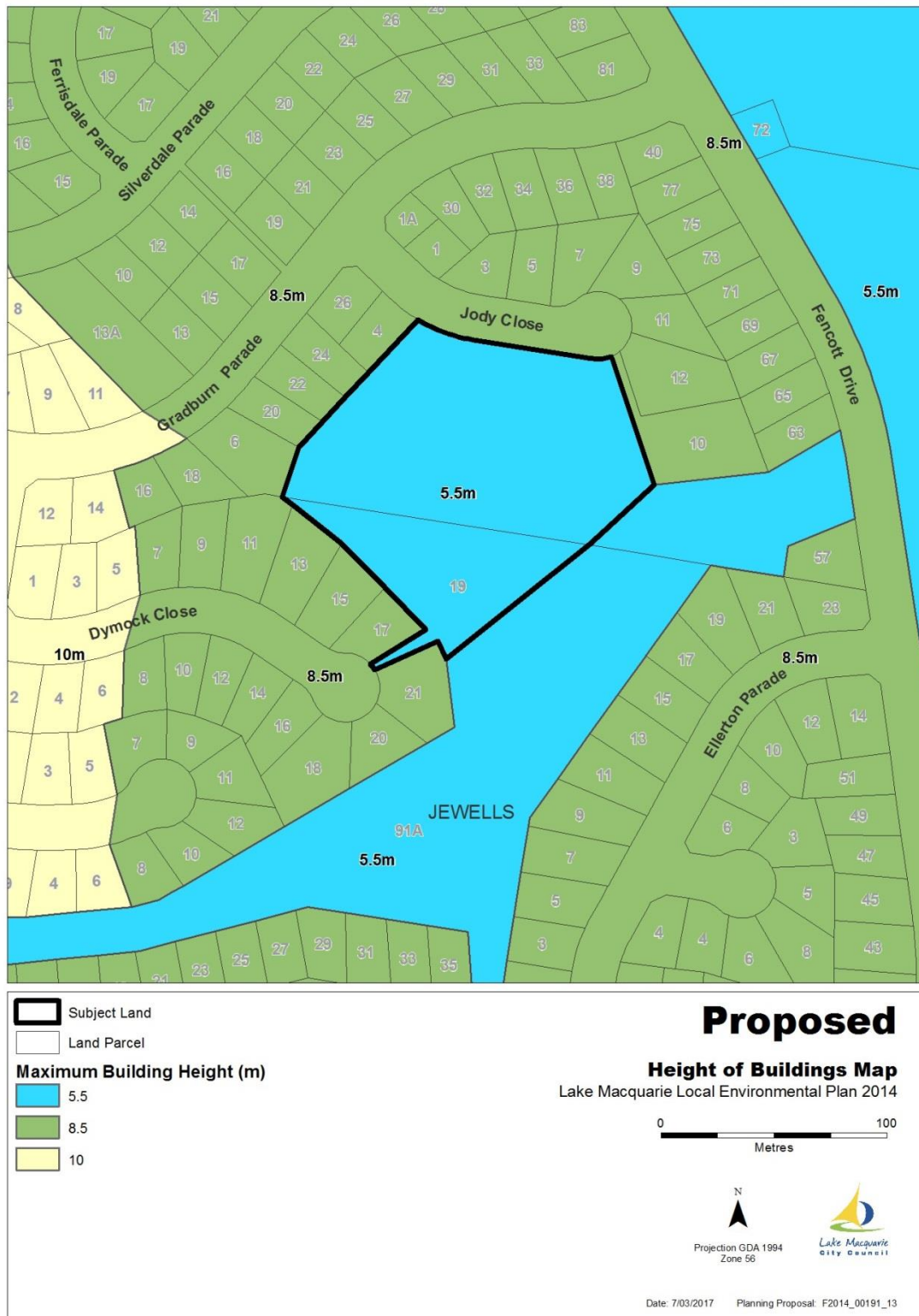


Figure 38: Proposed Height of Building - Item 6 - 6 Jody Close, Jewells

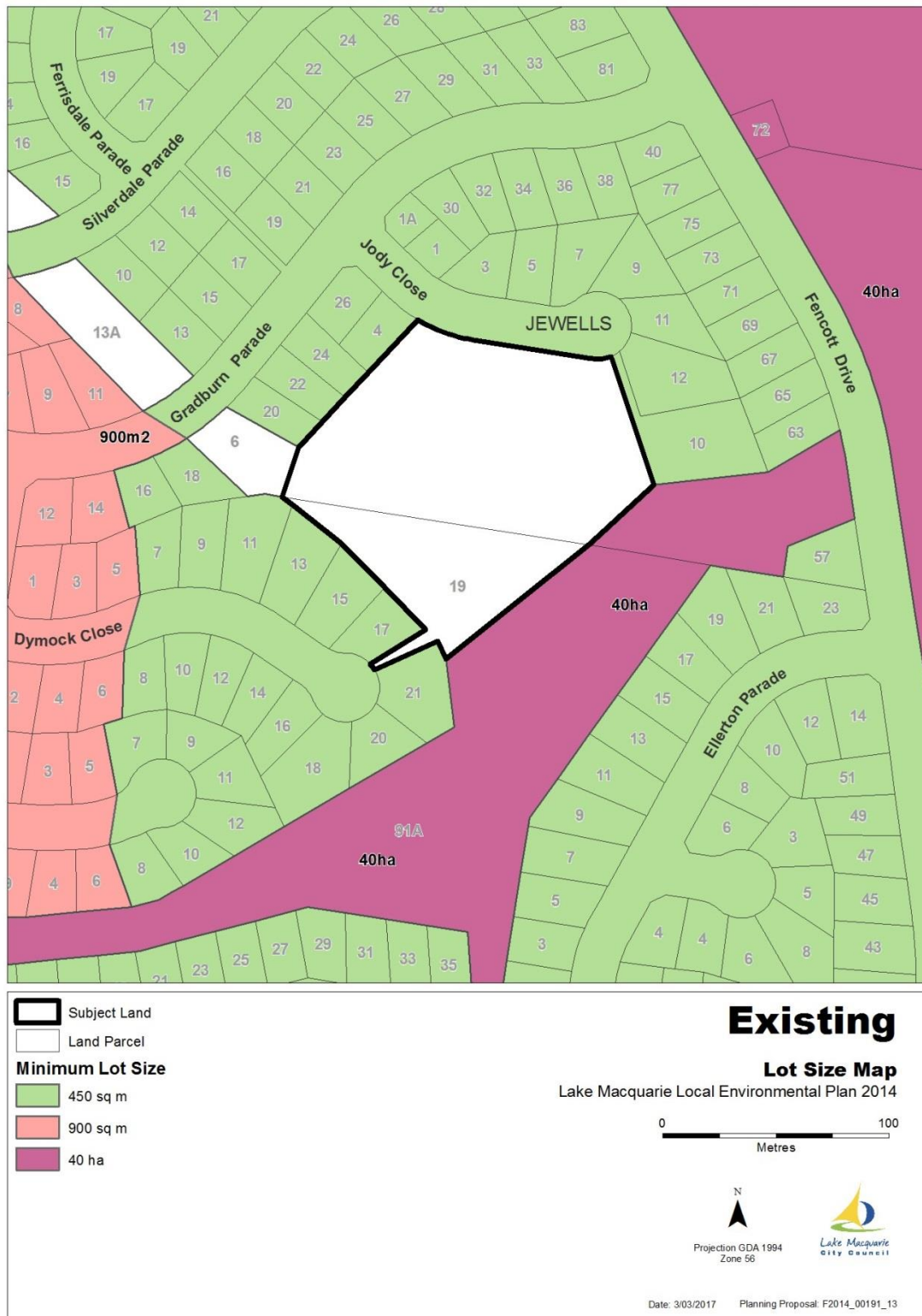


Figure 39: Existing Lot Size – Item 6 – 6 Jody Close, Belmont North

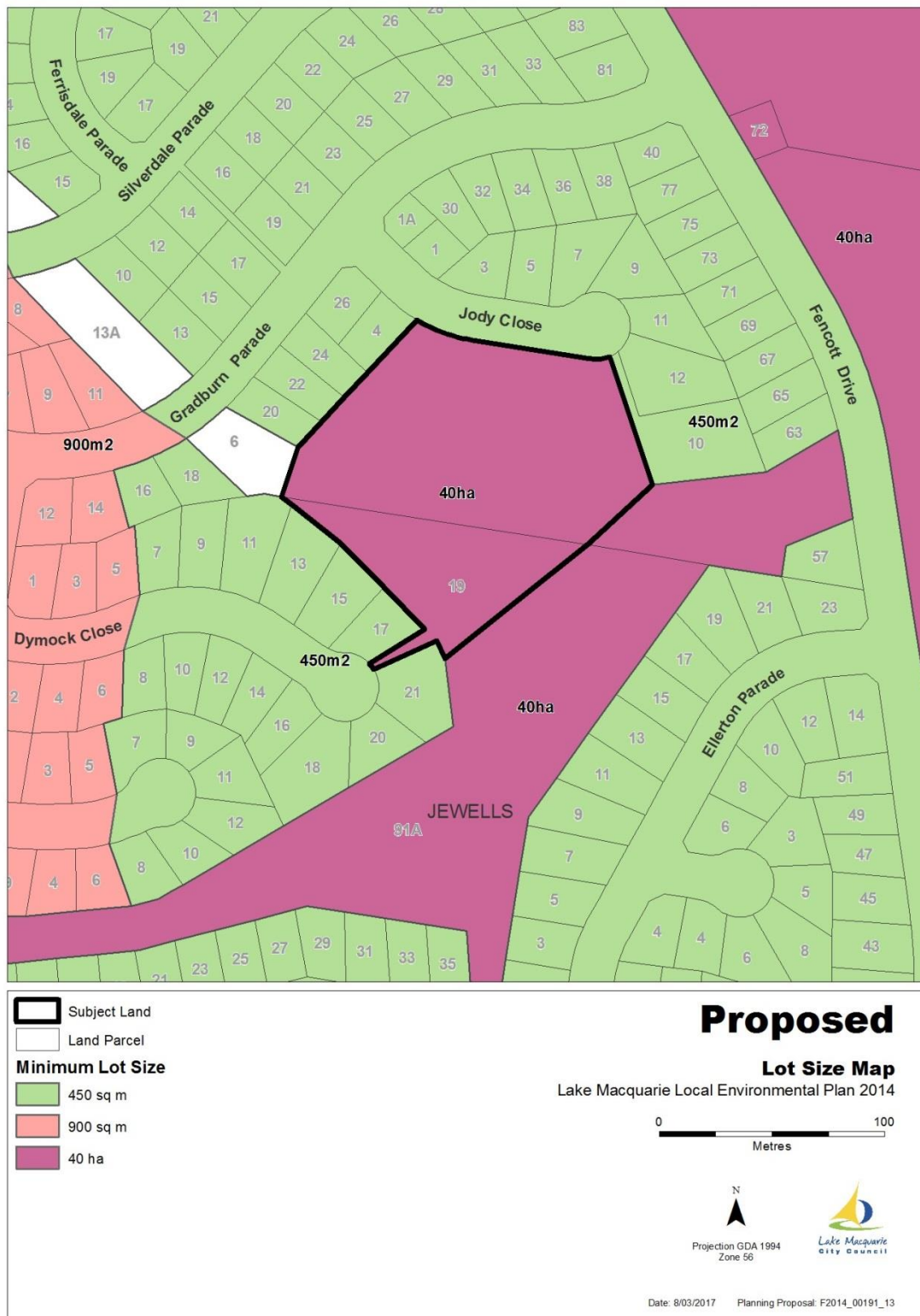
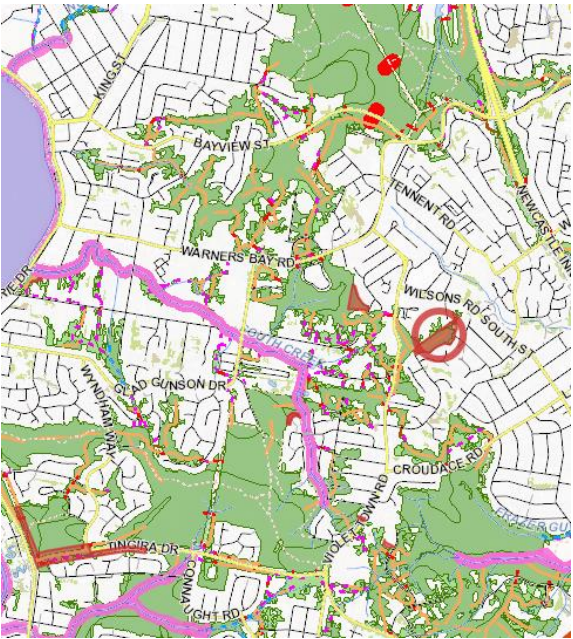


Figure 40: Proposed Lot Size - Item 6 - 6 Jody Close, Belmont North

Item 7 – 42 Sturt Street, Tingira Heights

Item No. 7 - 42 Sturt Street, Tingira Heights	
Address (the site)	Part 42 Sturt Street, Tingira Heights (Part Lot 24 DP 849551) and 19A Katie Place, Windale (Lot 11 DP 716257)
Owner:	Lake Macquarie City Council
Site area:	28327m ²
Existing Uses:	Public Reserve
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>The Mount Hutton Precinct Area Plan shows this area as a flora and fauna corridor. The site contains the Coastal Plains Stringybark- Apple Forest vegetation community and is a native vegetation corridor. The map below shows how this site (shown in a red circle) connects to other corridors.</p> <p>Native Vegetation and Corridors Map.</p>  <p>The area is shown as natural area within Council's Plan of Management for Community Land. The Charlestown Recreation and Land Plan and Development Contributions Plan does not identify this site as being required for public recreation purposes. The site's topography, location and site environmental features do not make this site suitable for recreational use.</p>
Other Environmental Constraints	Bushfire Prone, Community Land, Geotechnical Zone Restrictions, within proximity to Heritage Archaeological Site – Natural -Insect fossils

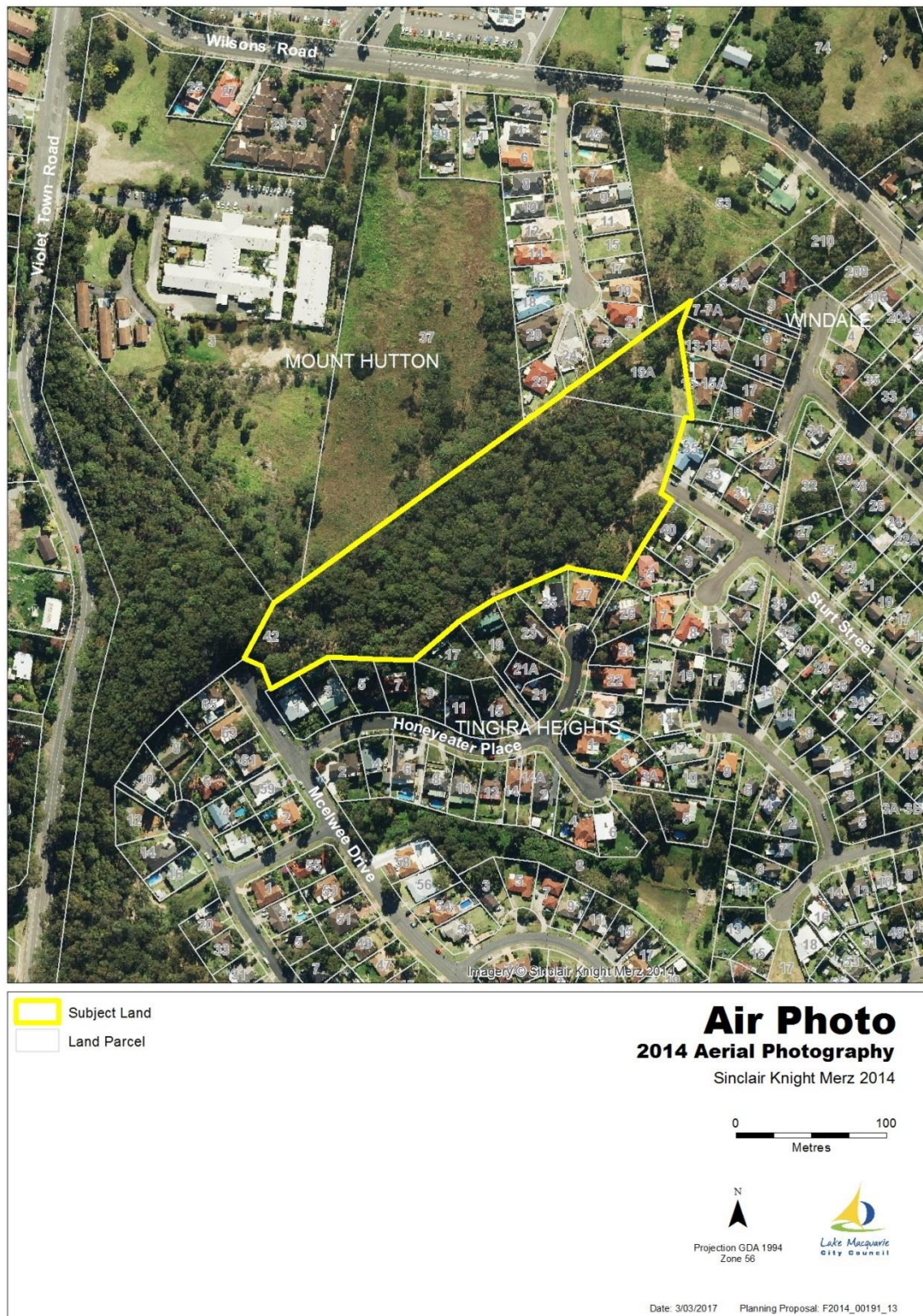


Figure 41: Aerial Photo – 42 Sturt Street, Tingira Heights

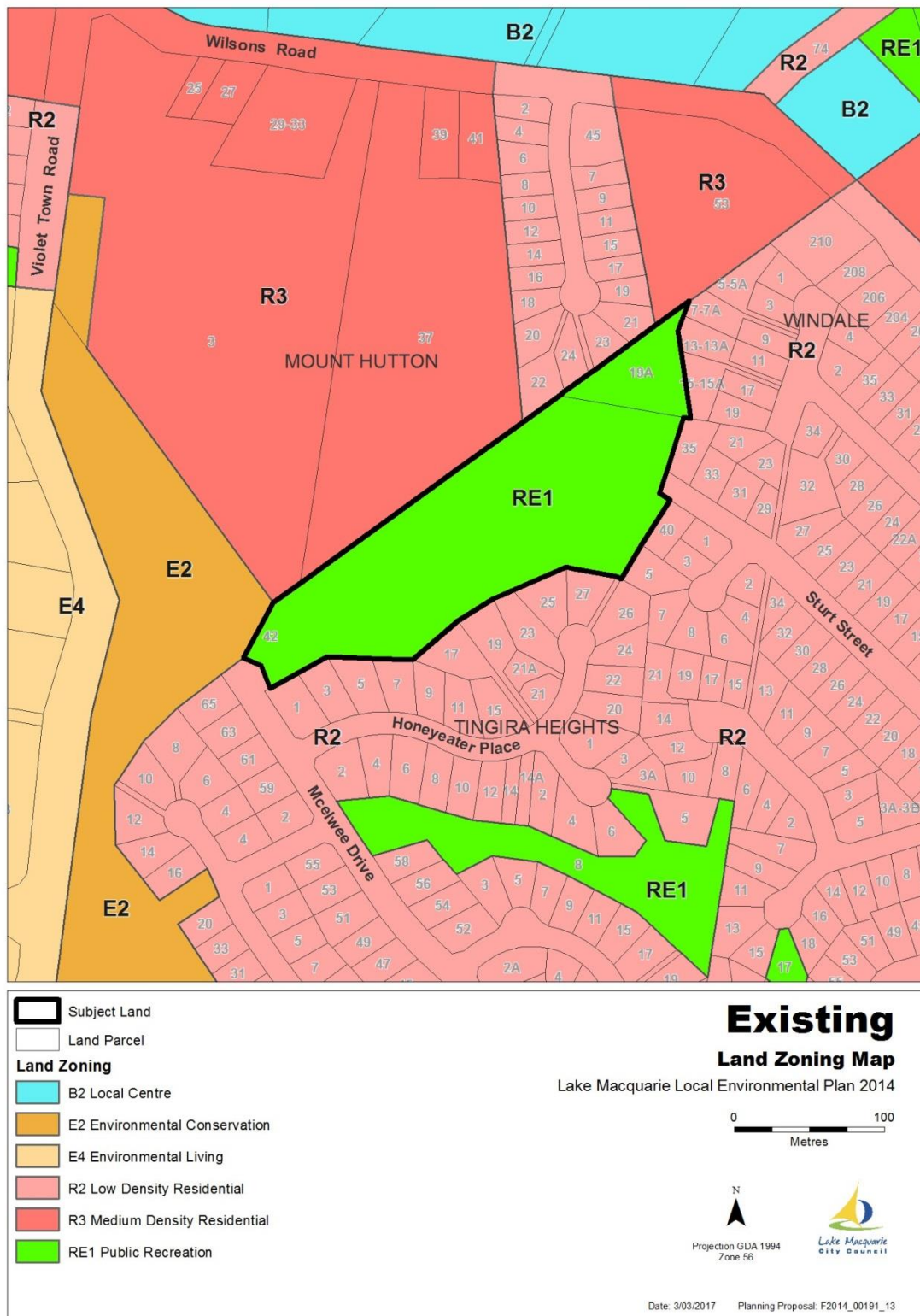


Figure 42: Existing Zoning - Item 7 - 42 Sturt Street, Tingira Heights

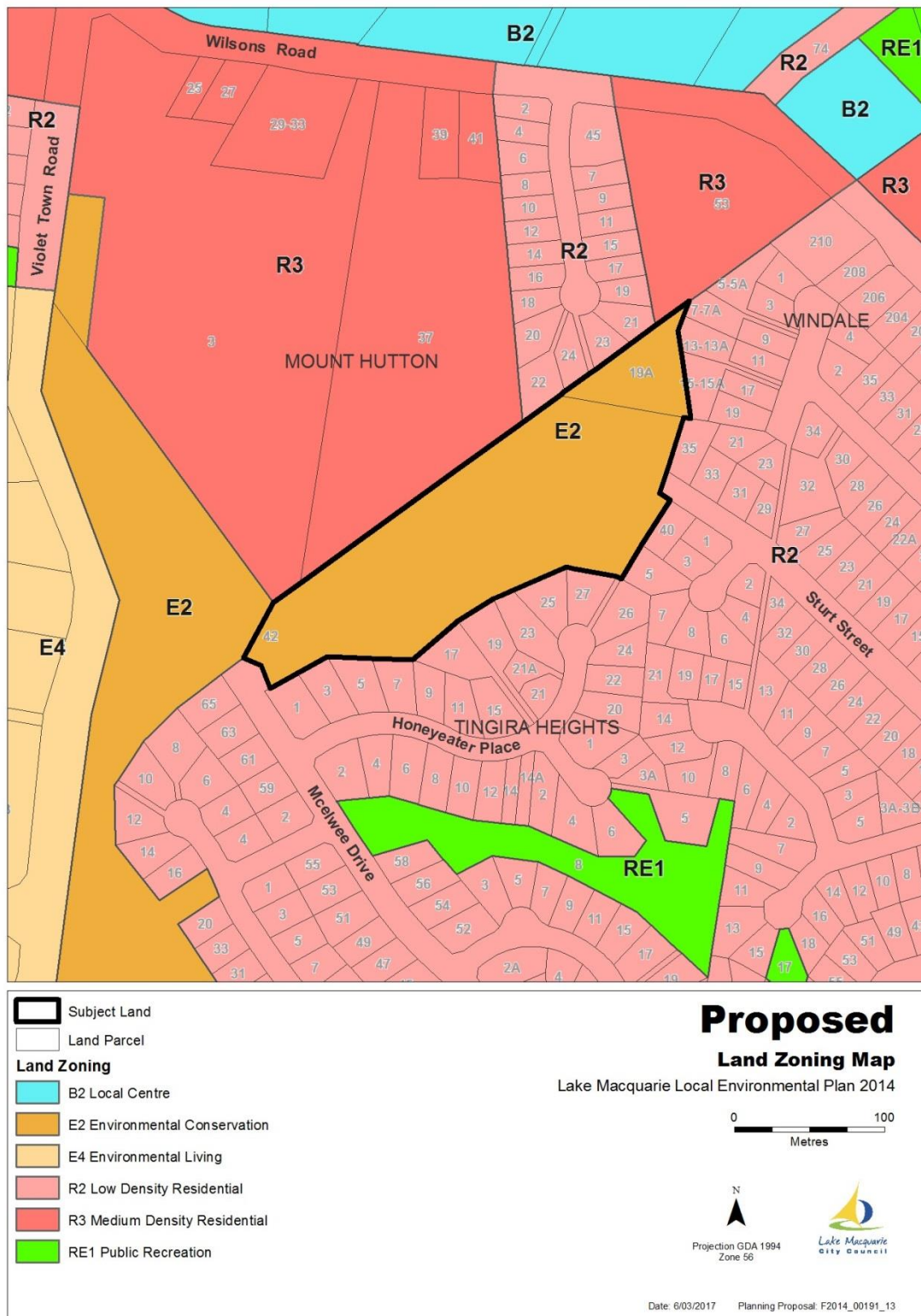


Figure 43: Proposed Zoning - Item 7 - 42 Sturt Street, Tingira Heights

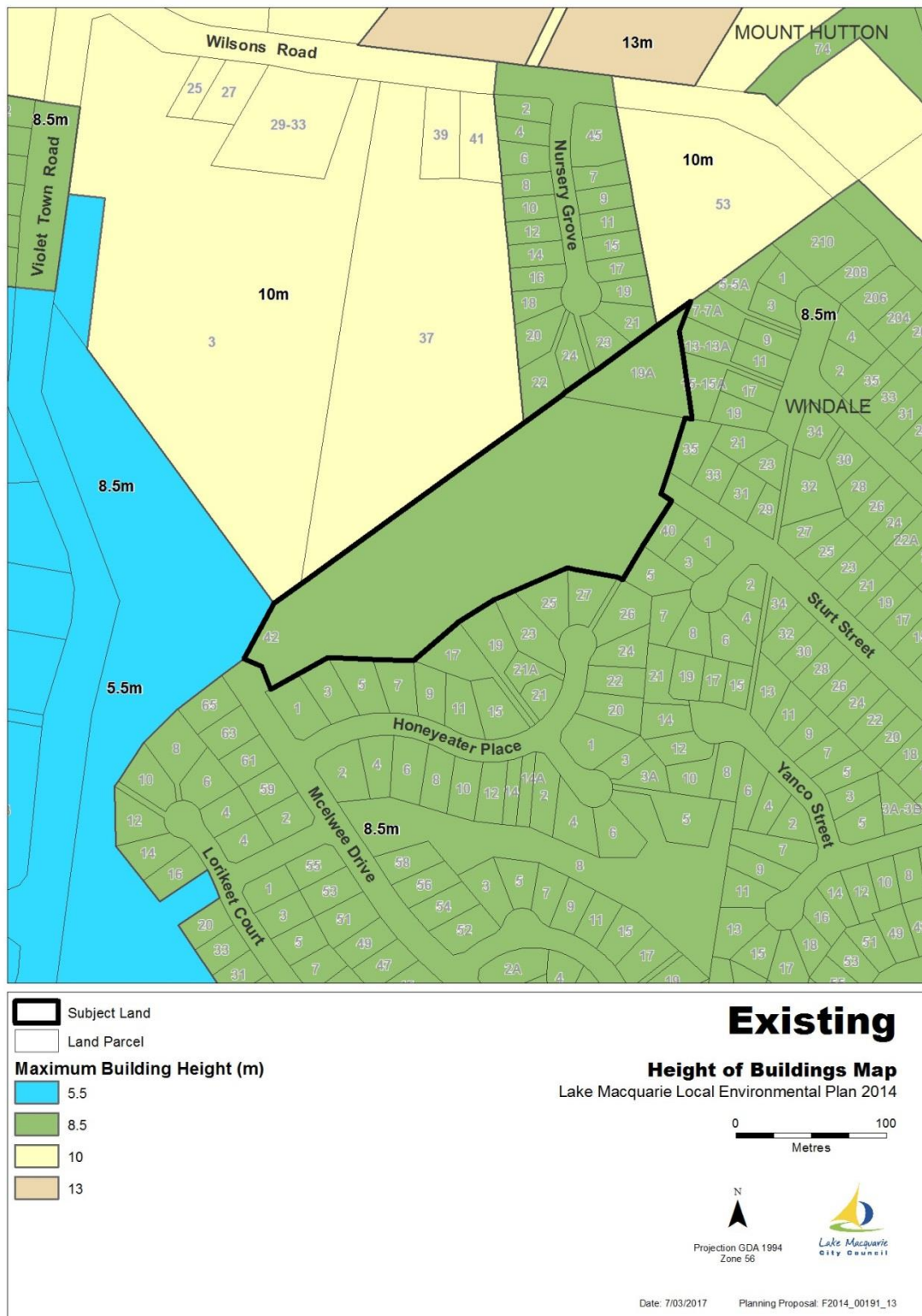


Figure 44: Existing Height of Building - Item 7 - 42 Sturt Street, Tingira Heights

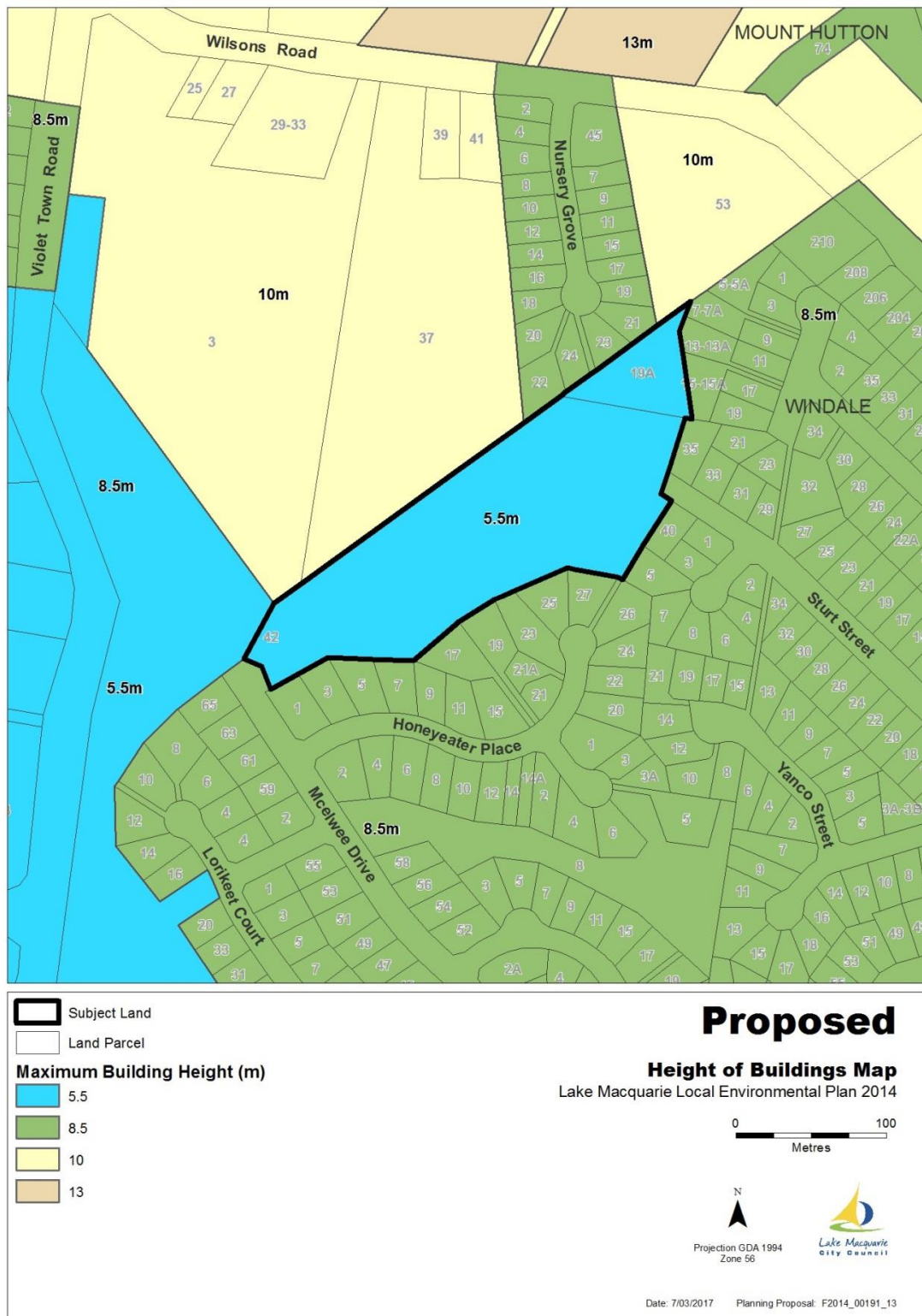


Figure 45: Proposed Height of Building - Item 7 - 42 Sturt Street, Tingira Heights

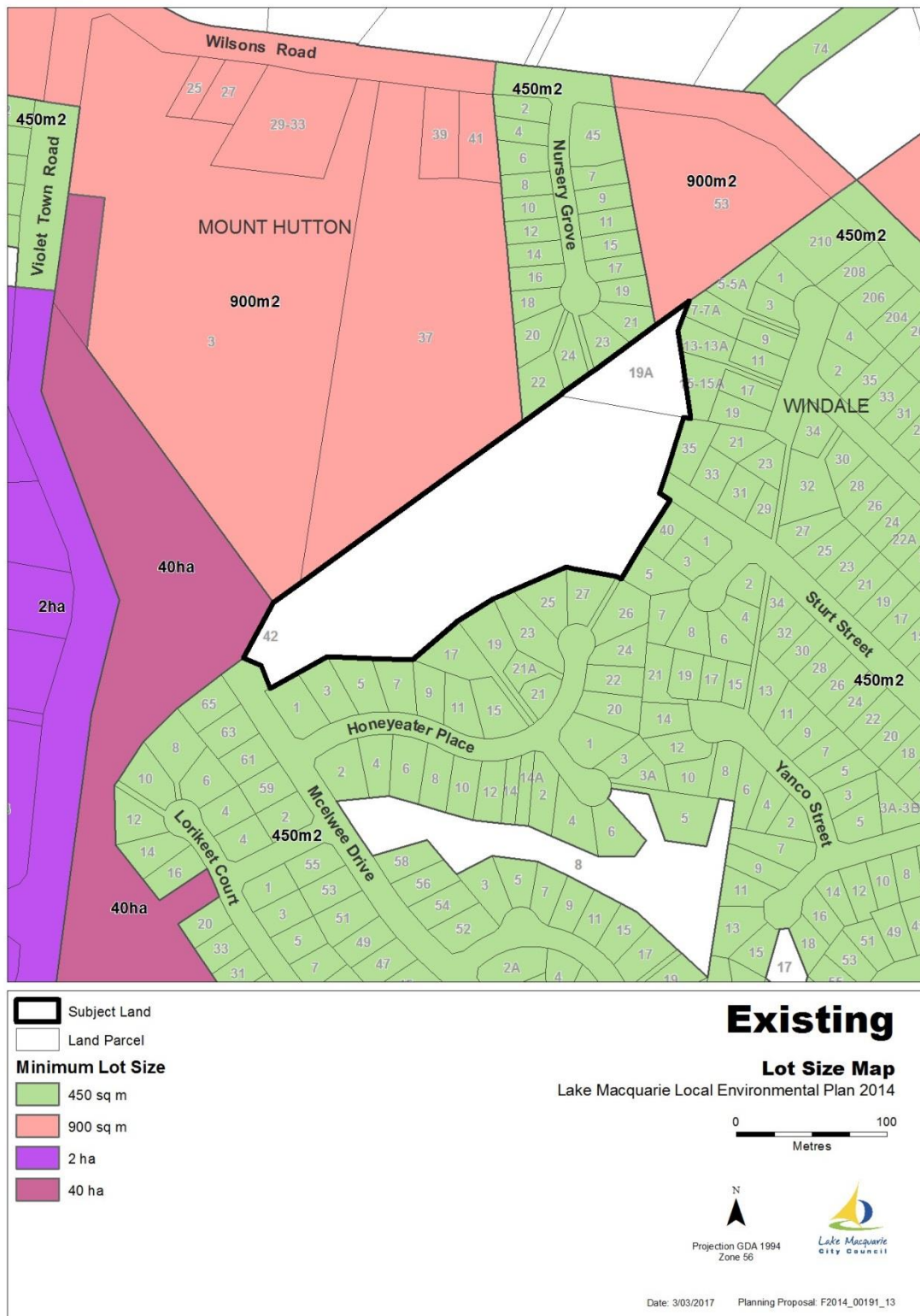


Figure 46: Existing Lot Size - Item 7 - 42 Sturt Street, Tingira Heights

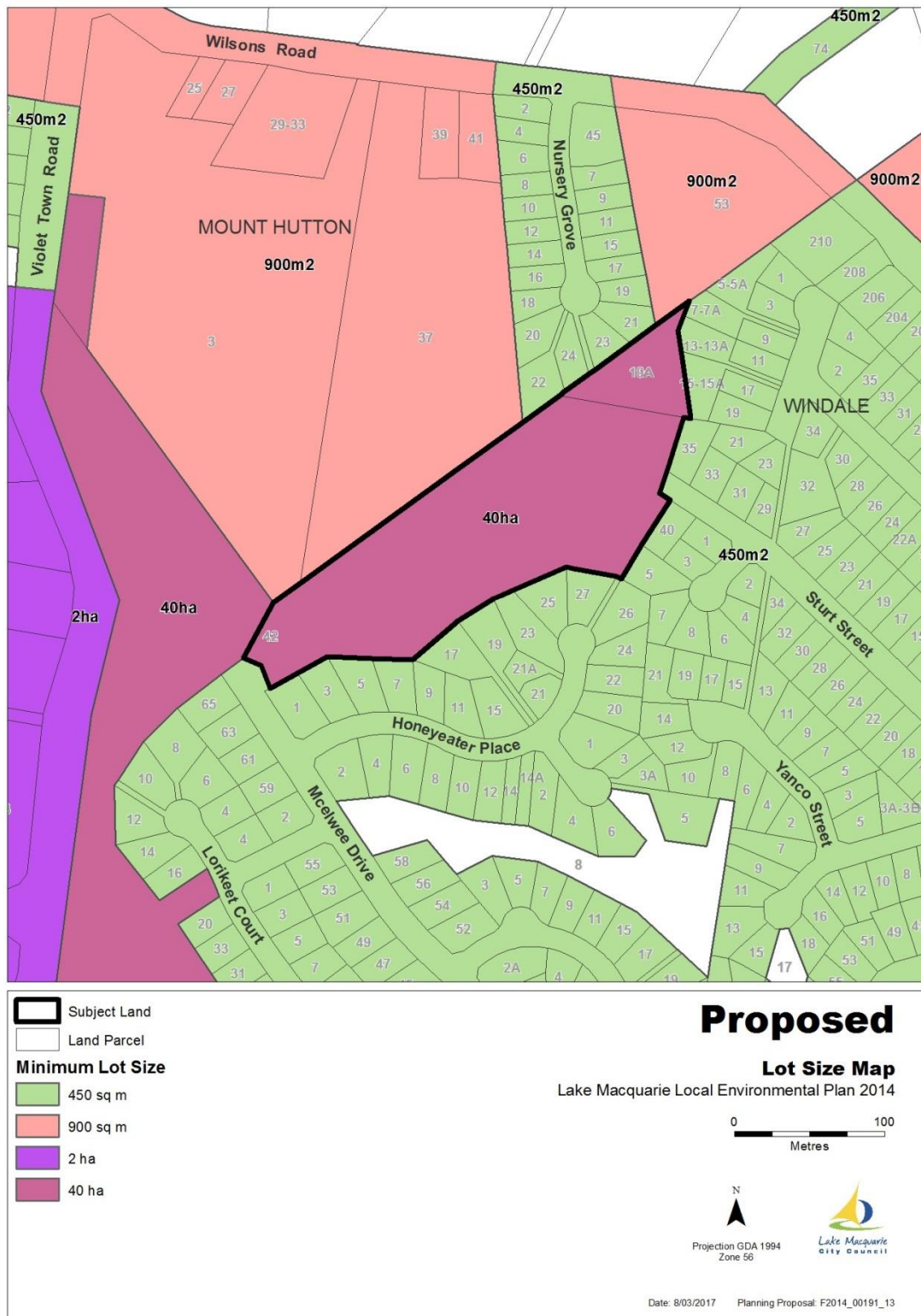


Figure 47: Proposed Lot Size - 42 Sturt Street, Tingira Heights

Item 8 – 14 Redondo Road, Valentine

Item No. 8 - 14 Redondo Road, Valentine	
Address (the site)	14 Redondo Road, Valentine (Lot 2 DP 616430)
Owner:	LMCC
Site area:	15641m ²
Existing Uses:	Bushland
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>Council owned reserve and is shown on Council's Vegetation Mapping as a corridor. Contains Hunter Valley Moist Forest vegetation.</p> <p>The area is shown as a natural area within Council's Plan of Management for Community Land. The Charlestown Recreation and Land Plan and Development Contributions Plan does not identify this site as being required for public recreation purposes. The site's topography, location and site environmental features do not make this site suitable for recreational use.</p>
Other Environmental Constraints	Bushfire Prone Land. Mine Subsidence.



Figure 48: Aerial Photo - Item 8 - 14 Redondo Road, Valentine

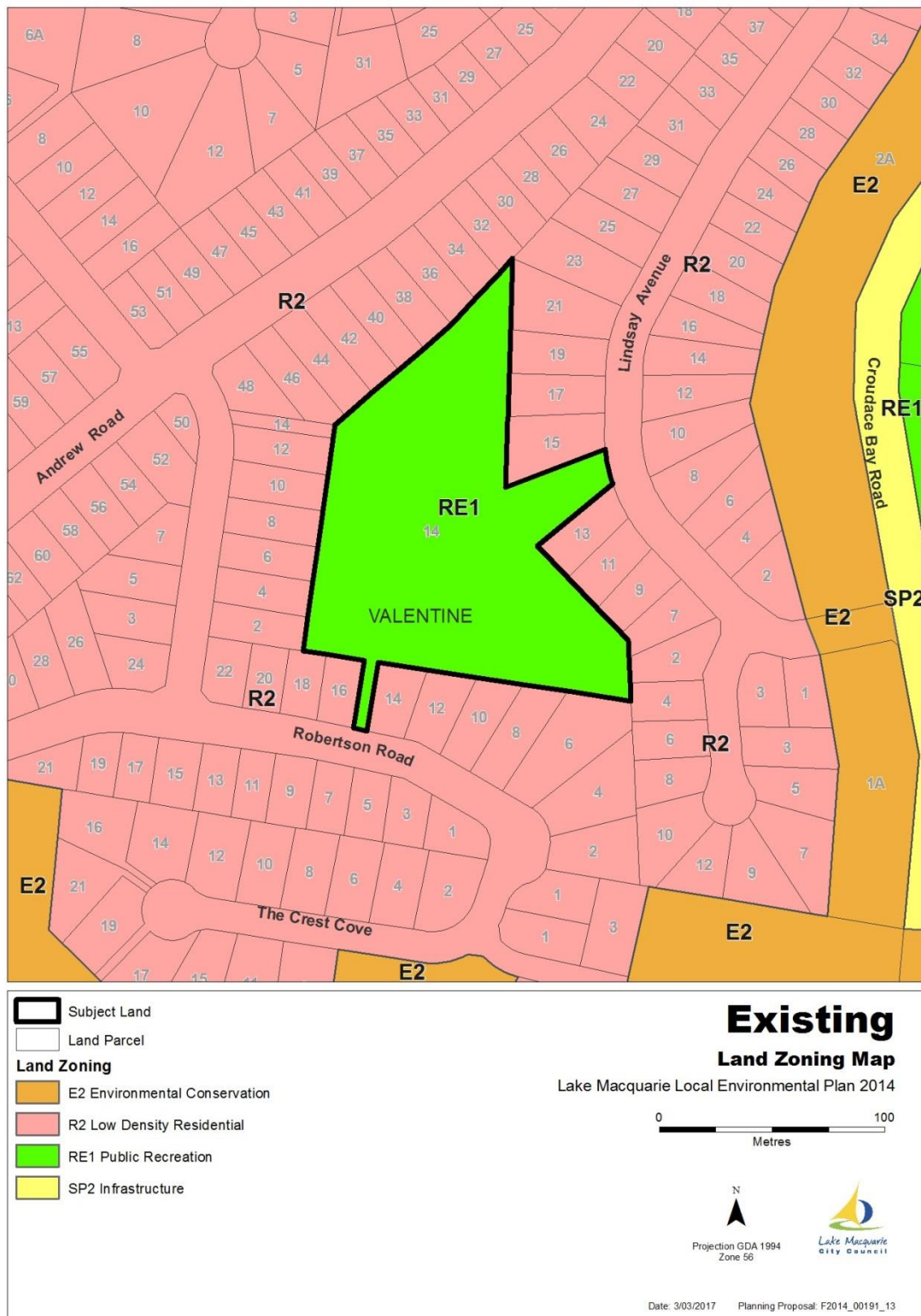


Figure 49: Existing Zoning - Item 8 - 14 Redondo Road, Valentine

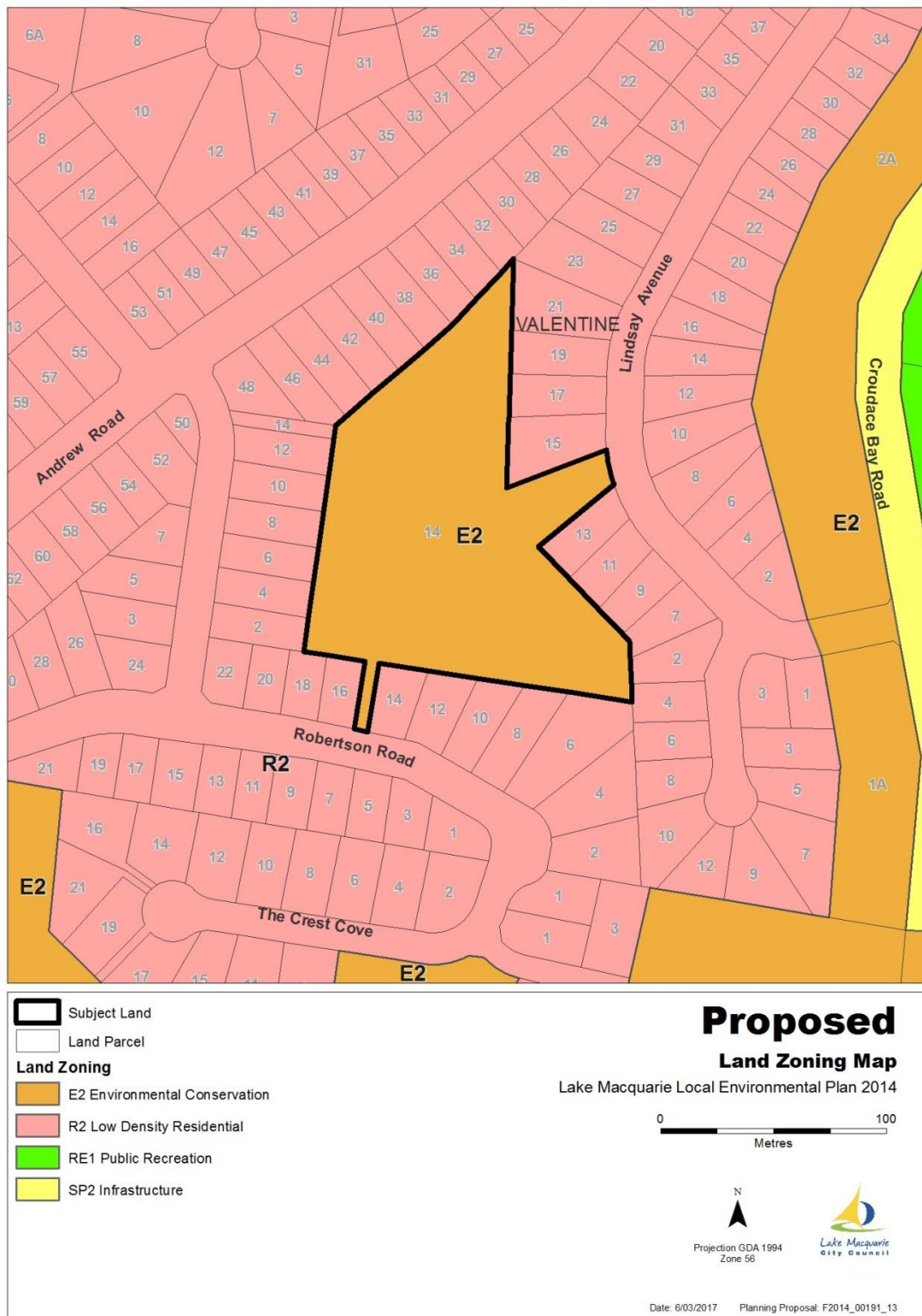


Figure 50: Proposed Zoning - Item 8 - 14 Redondo Road, Valentine

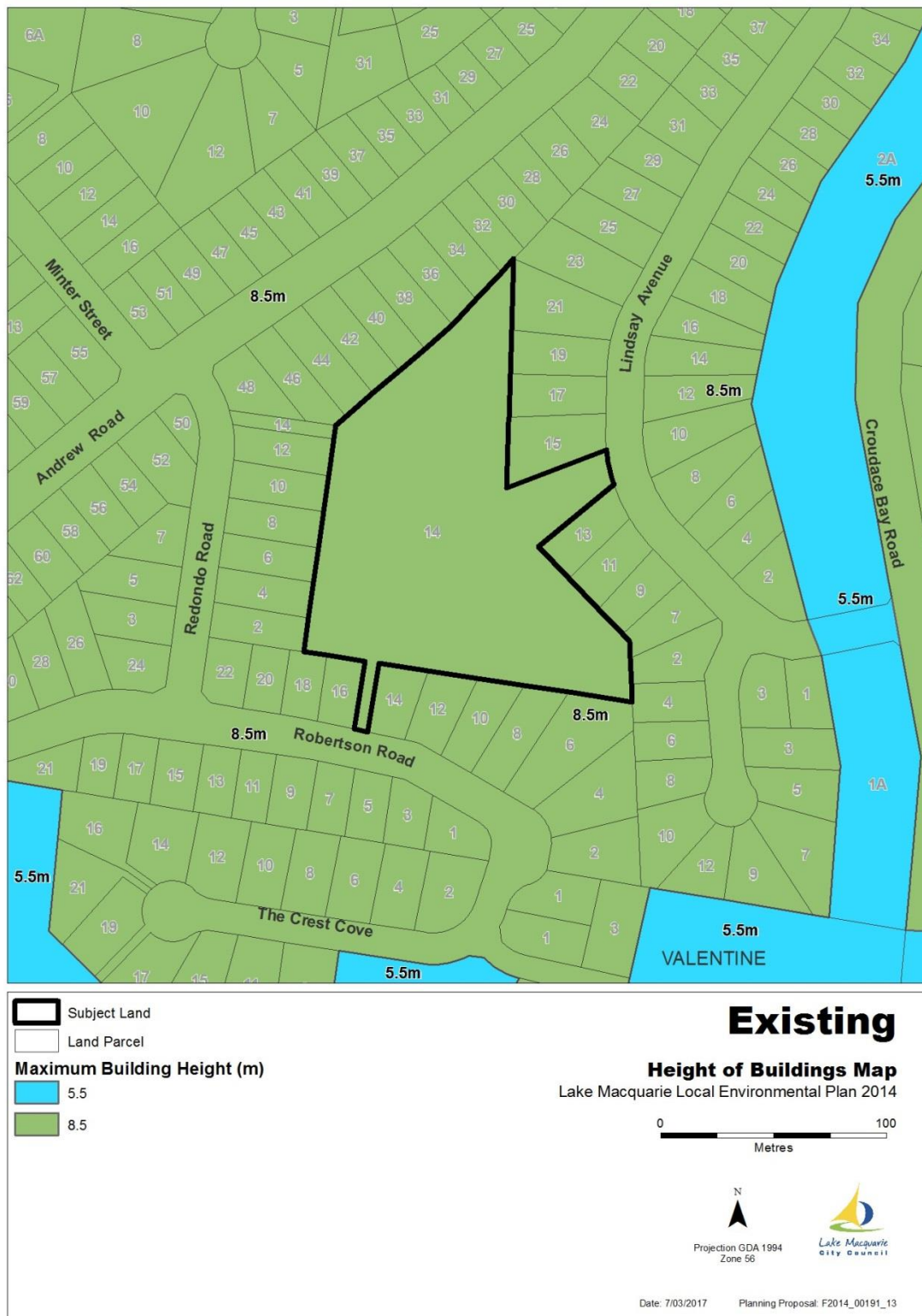


Figure 51: Existing Height of Building - Item 8 - 14 Redondo Road, Valentine



Figure 52: Proposed Height of Building - item 8 - 14 Redondo Road, Valentine

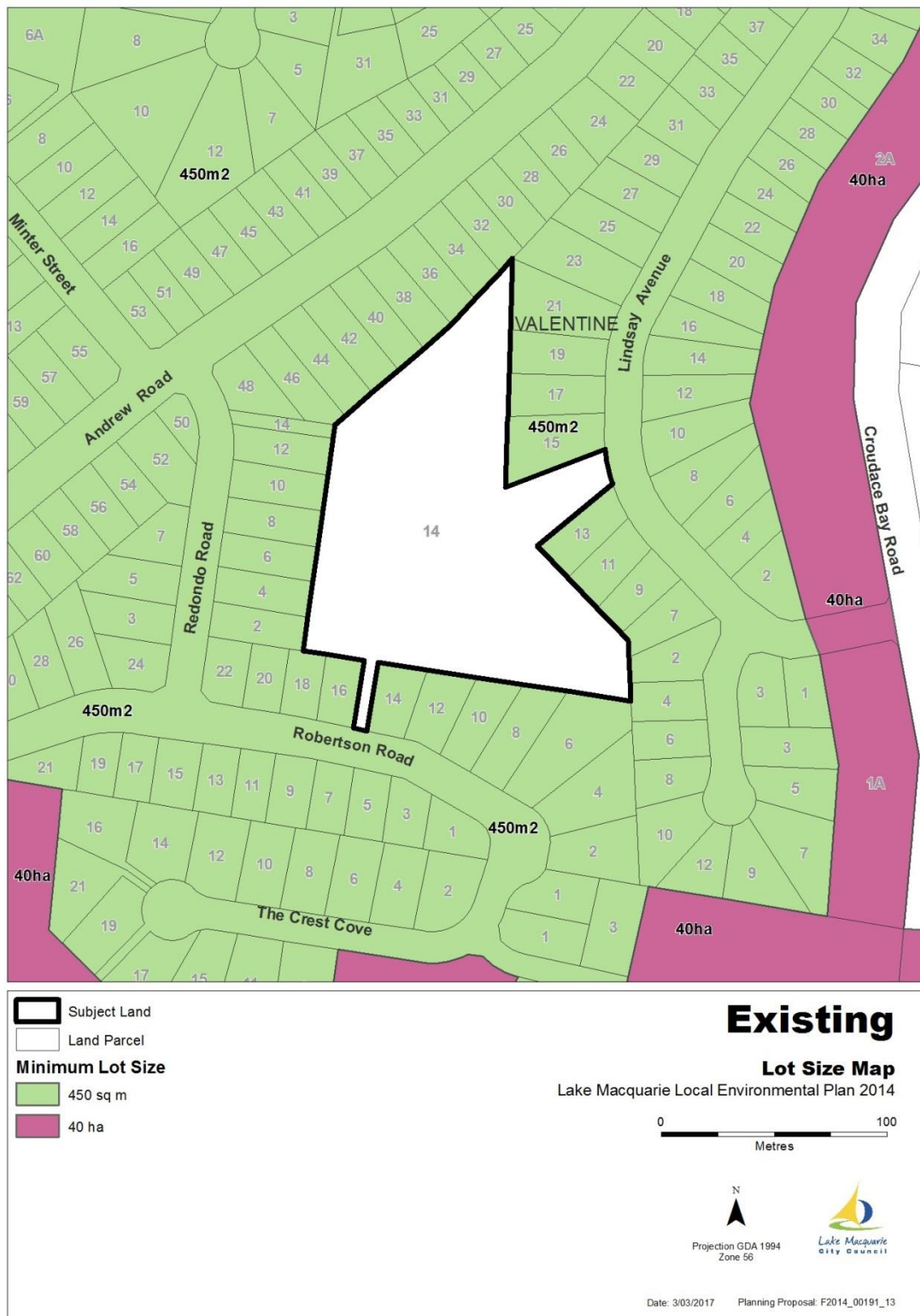


Figure 53: Existing Lot Size - Item 8 - 14 Redondo Road, Valentine

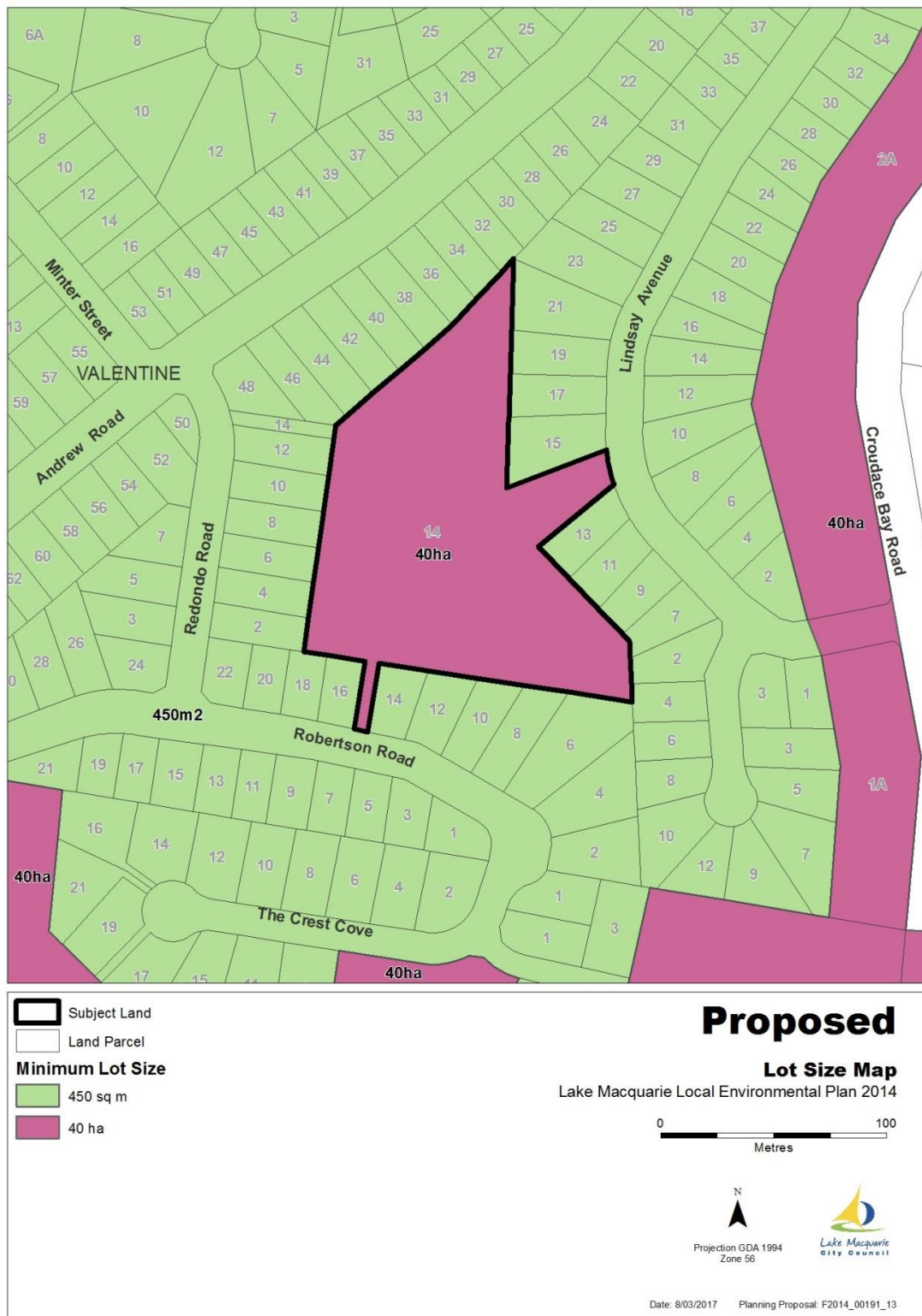
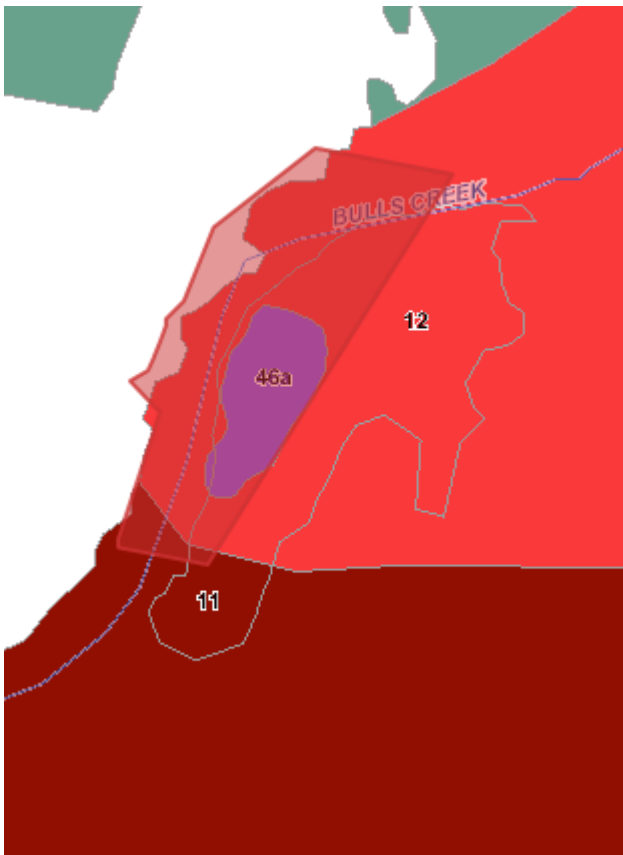


Figure 54: Proposed Lot Size - Item 8 - 14 Redondo Road, Valentine

Item 9 – 18 Teran Close, Whitebridge

Item No. 9 – 18 Teran Close, Whitebridge	
Address (the site)	18 Teran Close, Whitebridge (Lot 10 DP 263008)
Owner:	Lake Macquarie City Council
Site area:	5138m ²
Existing Uses:	Bushland and wetland area
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone site from RE1 Public Recreation to E2 Environmental Conservation.
Background and Justification:	<p>This site contains wetland and wetland vegetation communities. The site contains Bulls Creek. Contains Freshwater Wetlands on Coastal Floodplains EEC and is known to contain the powerful owl (<i>Ninox strenua</i>).</p> <p><u>Vegetation Communities Map showing the EEC</u></p>  <p>The area is shown as a natural area within Council's Plan of Management for Community Land. The Charlestown Recreation and Land Plan and Development Contributions Plan does not identify this site as being required for public recreation purposes. The site is part of a watercourse and is not site suitable for recreational use.</p>

	<p>The adjoining land is zoned deferred matter – 7(a) Scenic Protection zone under the Lake Macquarie Local Environmental Plan 1984. The future zoning of the adjoining deferred land is uncertain, however given the environmental constraints, the land immediately adjoining this parcel is likely to remain for conservation. Given the EEC on the site and it is part of a natural creek corridor that feeds into a SEPP 14 coastal wetland, E2 Environmental Conservation is the most suitable zone.</p>
Other Environmental Constraints:	<p>Bushfire prone land, flood control lot high hazard, T3 geotechnical zone, natural watercourse, record of powerful owl.</p>



Figure 55: Aerial Photo - Item 9 - 18 Teran Close, Whitebridge

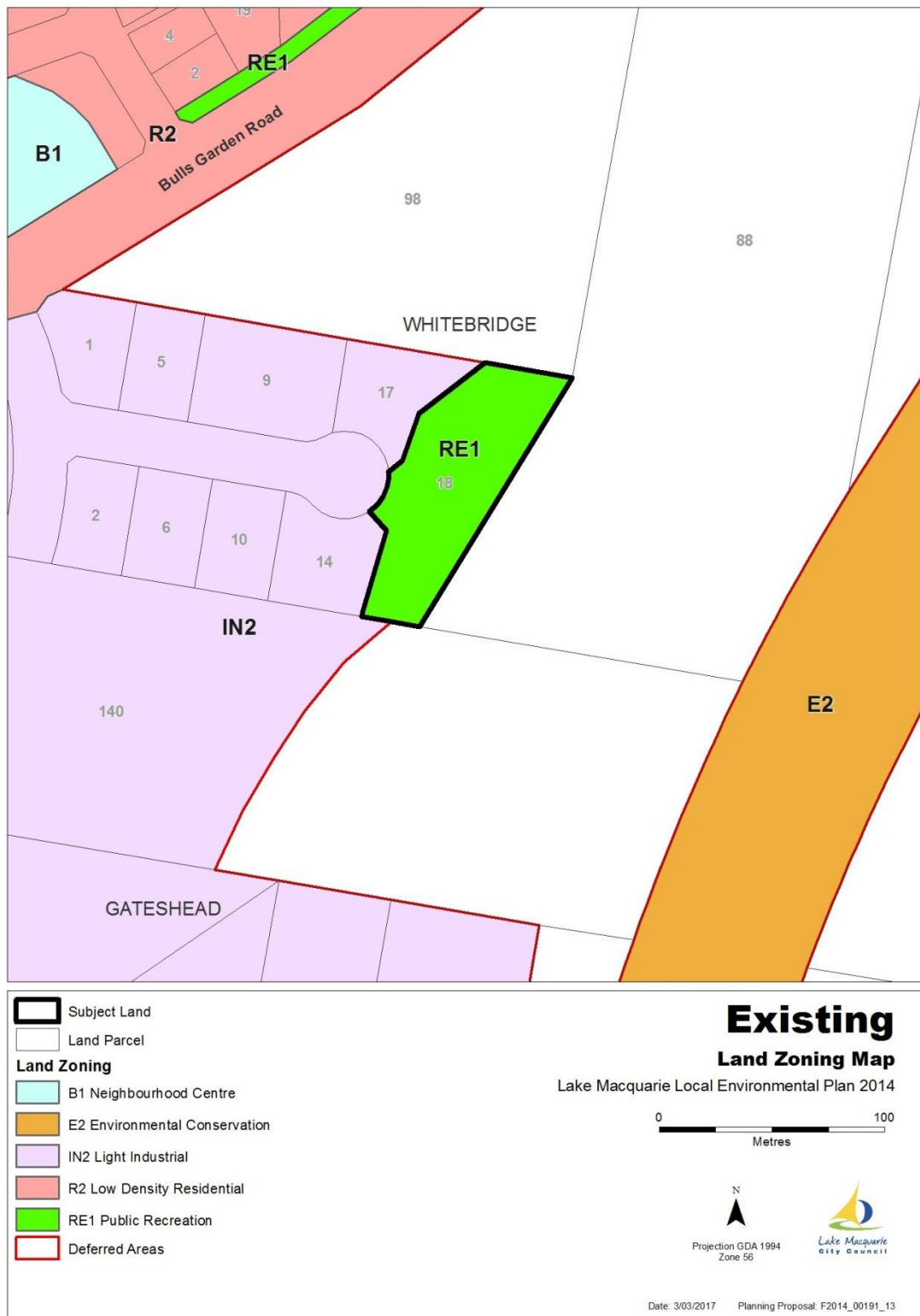


Figure 56: Existing Zoning - Item 9 - 18 Teran Close, Whitebridge

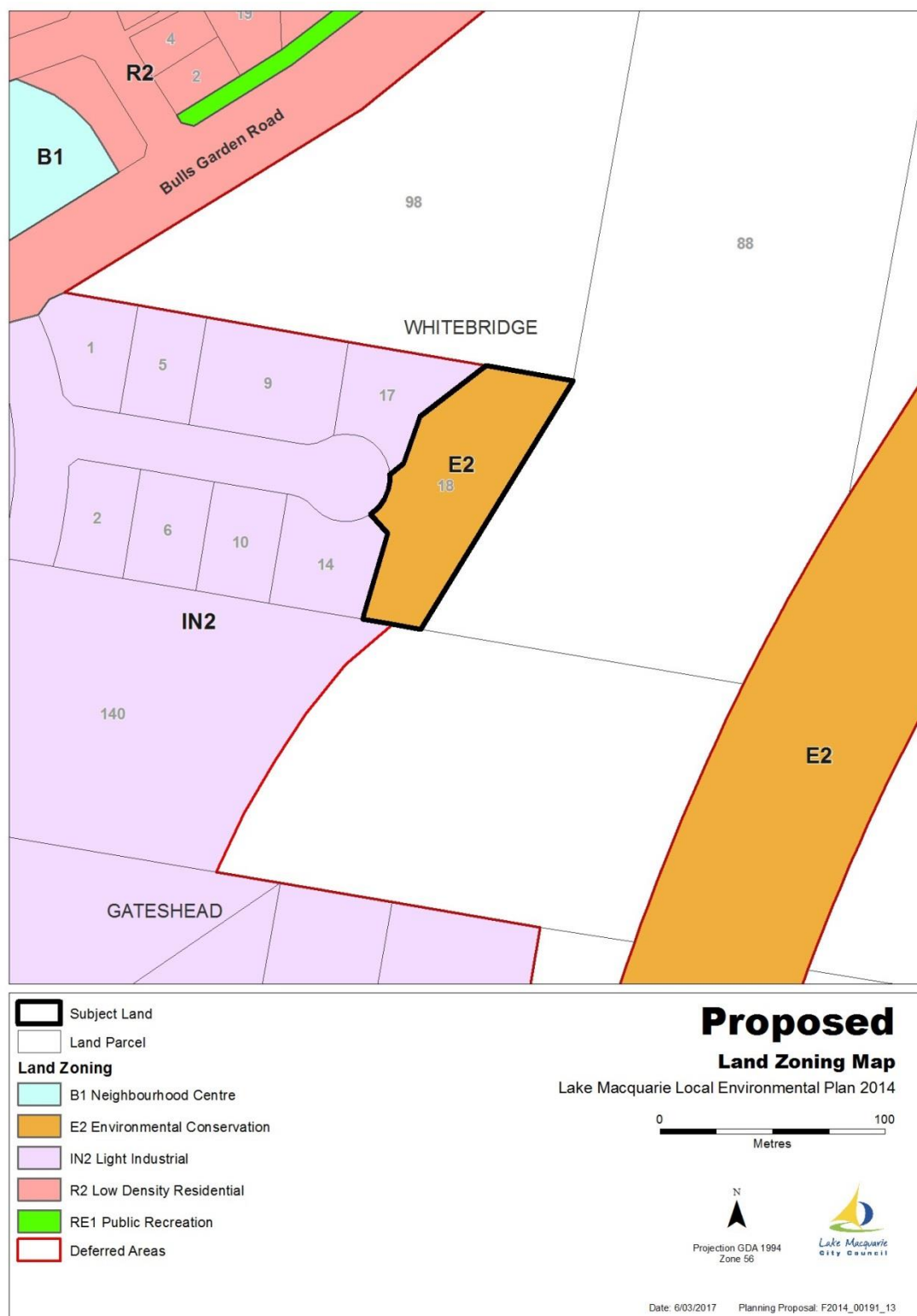


Figure 57: Proposed Zoning - Item 9 - 18 Teran Close, Whitebridge

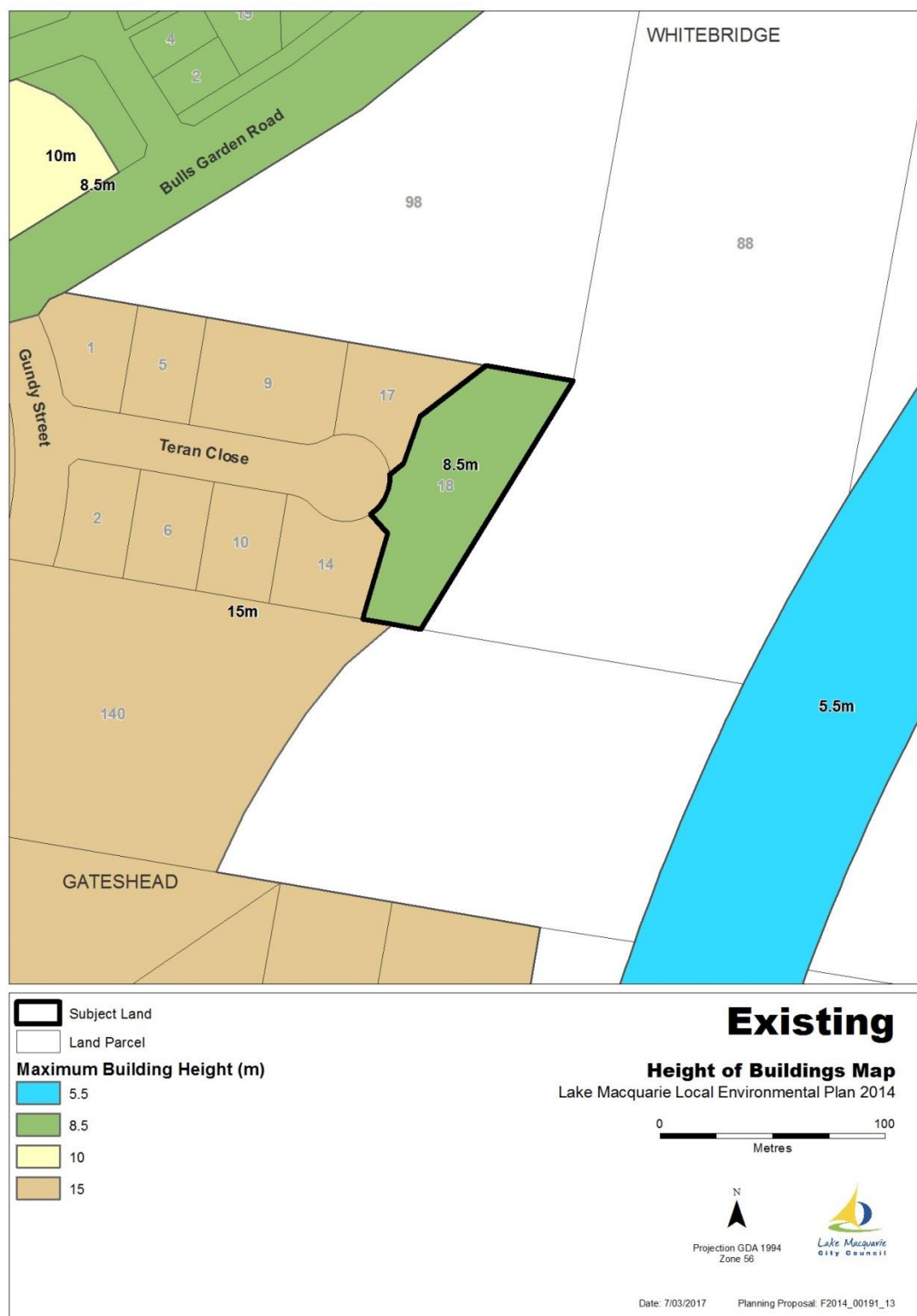


Figure 58: Existing Height of Building - Item 9 - 18 Teran Close, Whitebridge

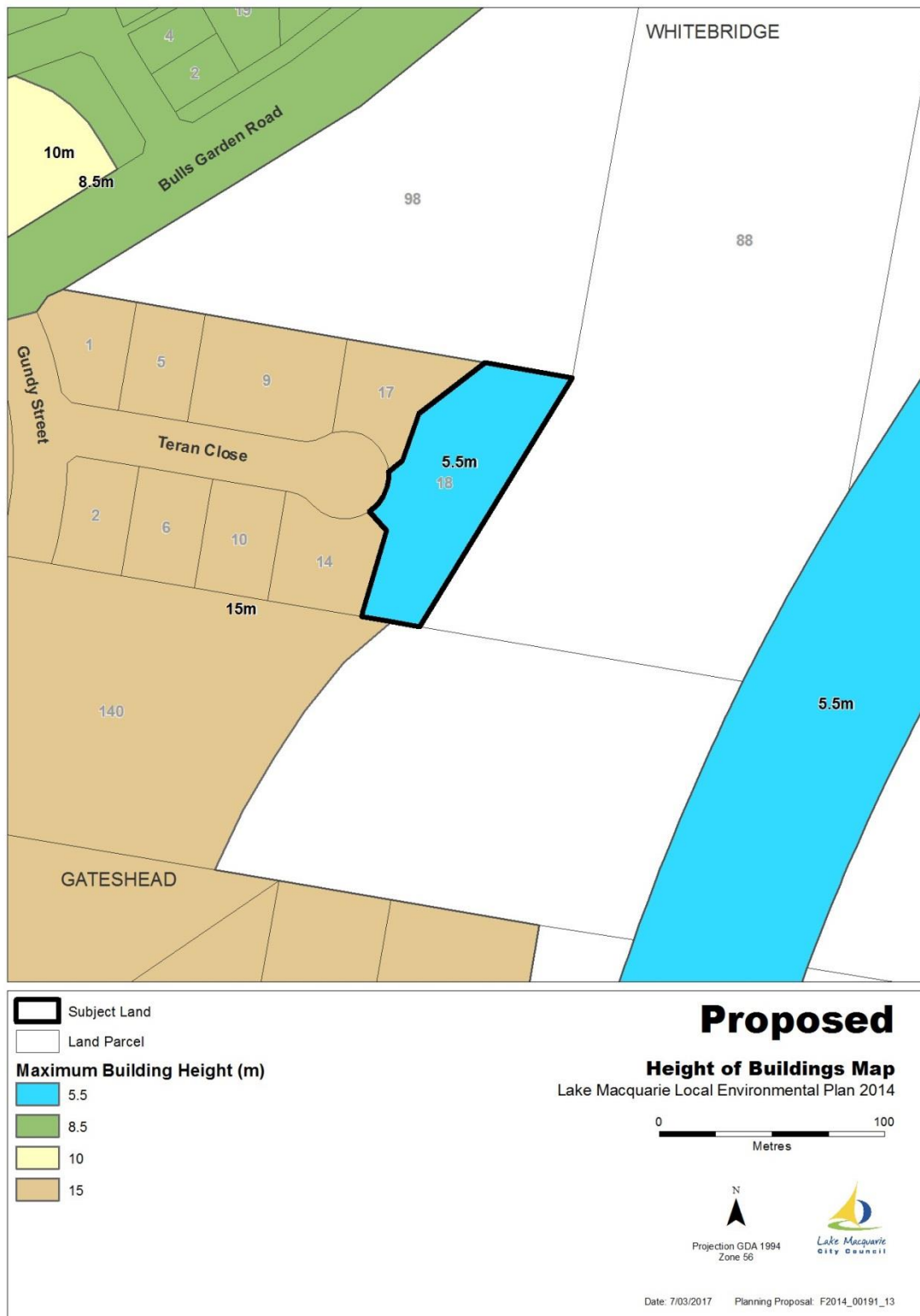


Figure 59: Proposed Height of Building - Item 9 - 18 Teran Close, Whitebridge

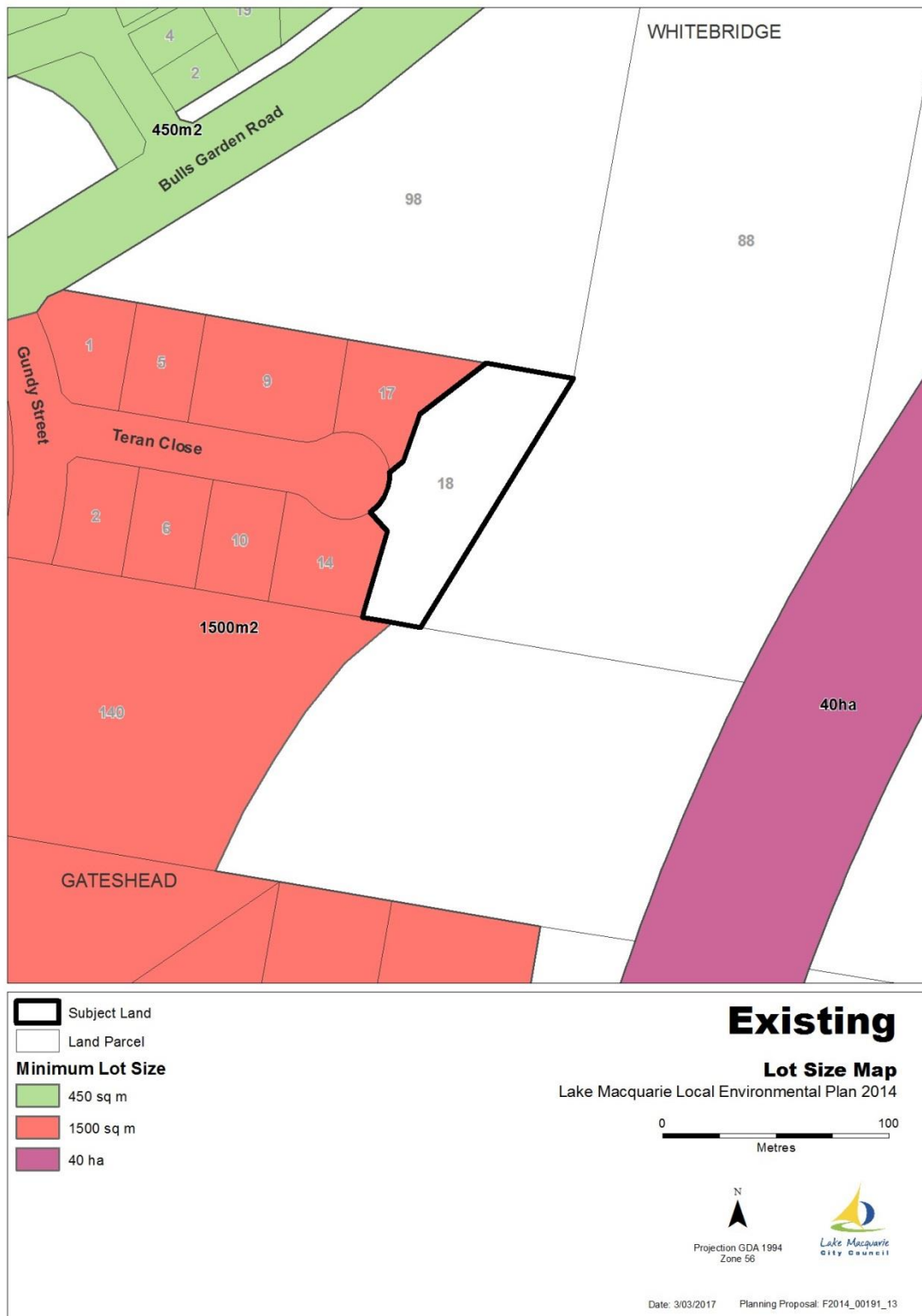


Figure 60: Existing Lot Size - Item 9 - 18 Teran Close, Whitebridge

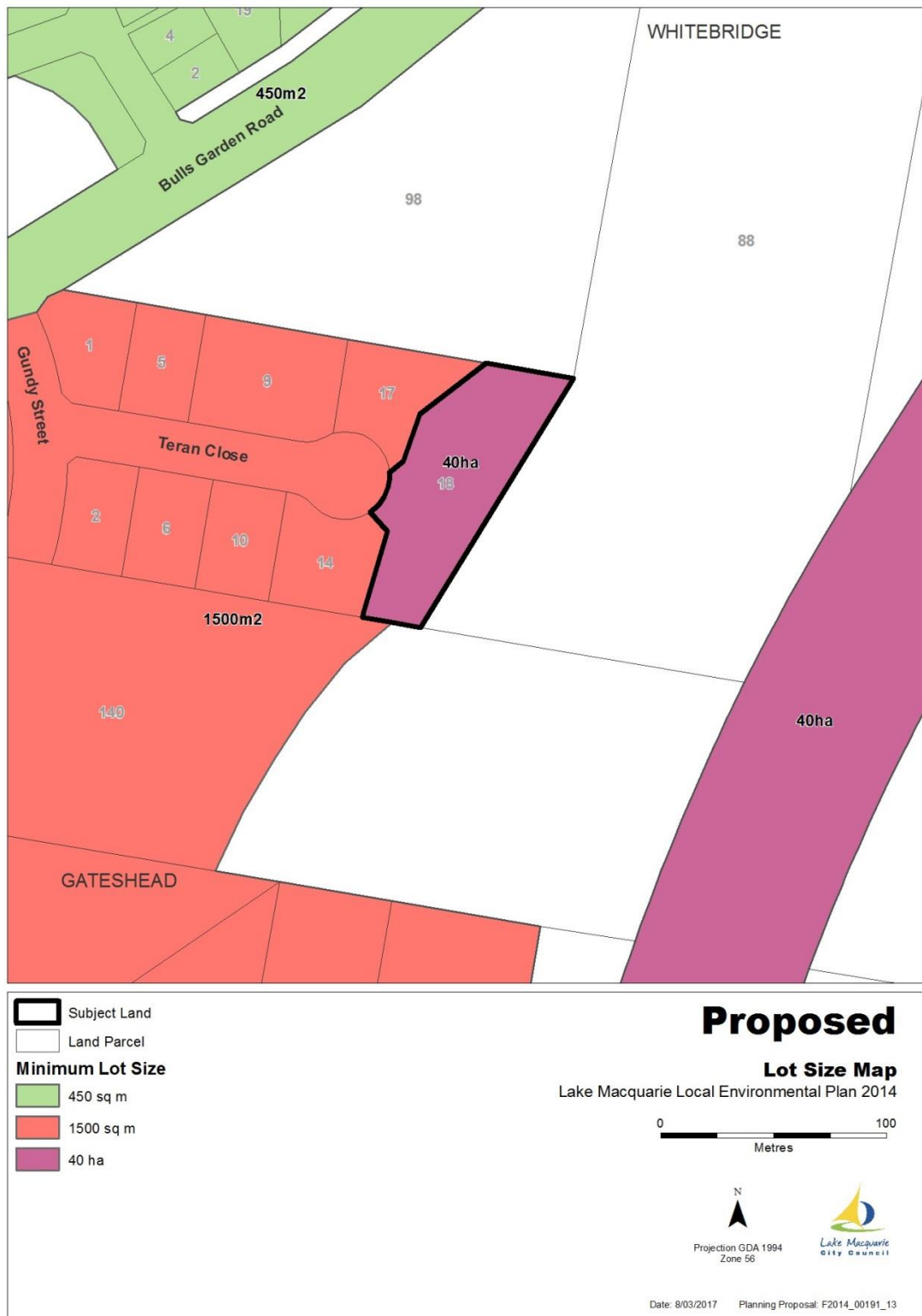


Figure 61: Proposed Lot Size - Item 9 - 18 Teran Close, Whitebridge

Item 10 – Northville Drive, Edgeworth / Barnsley

10 - Northville Drive, Edgeworth / Barnsley	
Address (the site)	1 Malcolm Street, Barnsley (Lots 10-12 Sec B 1274), 12 Bramcote Street, Barnsley (Lot 4 Sec B DP 1274), 12 Malcolm Street, Barnsley (Lot 3 and lot 4 Sec C DP 1274), 14 Bramcote Street, Barnsley (Lot 3 Sec B DP 1274), 16 Bramcote Street, Barnsley (Lot 1 and 2 Sec B DP 1274), 16 Malcolm Street, Barnsley (Lot 1 and 2 Sec C DP 1274). 2 Bramcote Street, Barnsley (Lot 7-9 Sec B DP 1274, 2 Malcolm Street, Barnsley (Lot 8 and 9 Sec C DP 1274, 20 Wellington Street, Barnsley (Lot PT1 DP 323084), 27 The Weir Road, Barnsley (Lot 10 and 11 Sec C DP 1274), 31 The Weir Road, Barnsley (Lot 12 Sec C DP 1274), 33 The Weir Road, Barnsley (Lot 13-14 Sec C DP 1274), 37 The Weir Road, Barnsley (Lot 15 and 16 Sec C DP 1274), 41 The Weir Road, Barnsley (Lot 17 and 18 Sec C DP 1274). 6 Malcolm Street (Lot 1 DP 121006), 7 Malcolm Street (Lot 13-18 Sec B DP 1274), 8 Bramcote Street (Lot 5 and 6 Sec B DP 1274), 8 Malcolm Street (Lot 5 and 6 Sec C DP 1274), 9 Northville Drive, Edgeworth (Lot 1 DP 403066)
Owner:	Lake Macquarie City Council and Hunter Water Corporation
Site area:	11.93ha
Existing Uses:	Bushland and Hunter Water asset
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>Part of corridor and vegetation is in good condition (besides electrical easement). Contains the vegetation communities: Coastal Plains Stringybark - Apple Forest, Red Ironbark - Paperbark Forest (Lower Hunter Spotted Gum Ironbark Forest EEC) and Hinterland Spotted Gum - Red Ironbark.</p> <p>Council adopted the Development Contributions Plan – Recreation and Land Plan – Glendale Contributions Catchment 2015-2030 on 23 May 2016. This Recreation and Land Plan investigated recreational needs of the growing Glendale catchment. The site is not identifies in these Plans as being required for public recreational use. Council's Cycleway Strategy shows a cycleway future link adjoining this site along the creek reserve, however this is in the land already zoned E2 and is not affected by this planning proposal. Recreation areas, community facilities and cycleways are permitted land uses in the E2 Environmental Conservation zone.</p> <p>Some land adjoining the zoned will be maintained with a public recreation zone.</p>
Other Environmental Constraints	Bushfire prone land, sensitive aboriginal landscape, natural watercourse, flood planning area, mine subsidence district, acid sulphate soils.

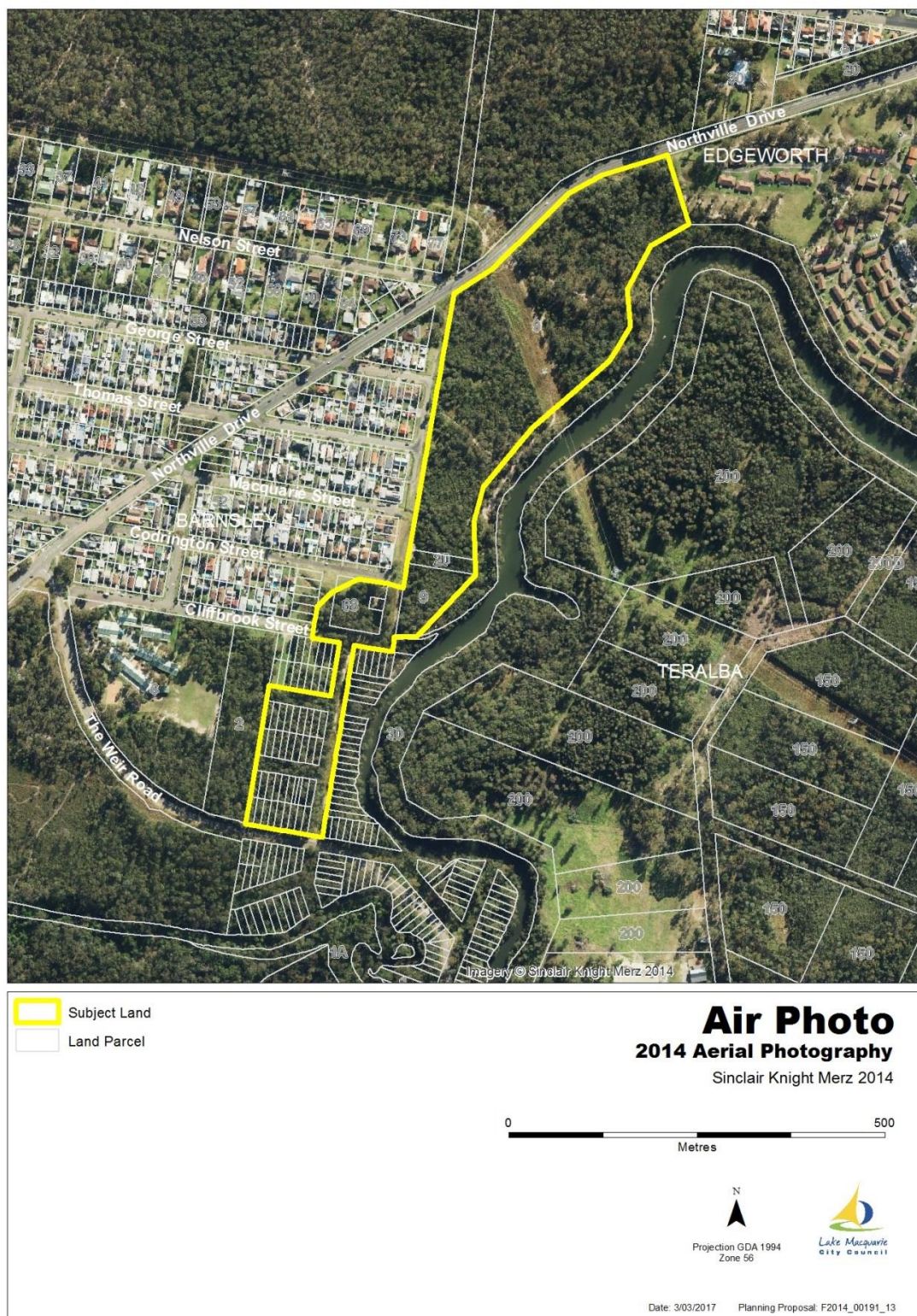


Figure 62: Aerial Photo - Item 10 – Northville Drive, Edgeworth/Barnsley

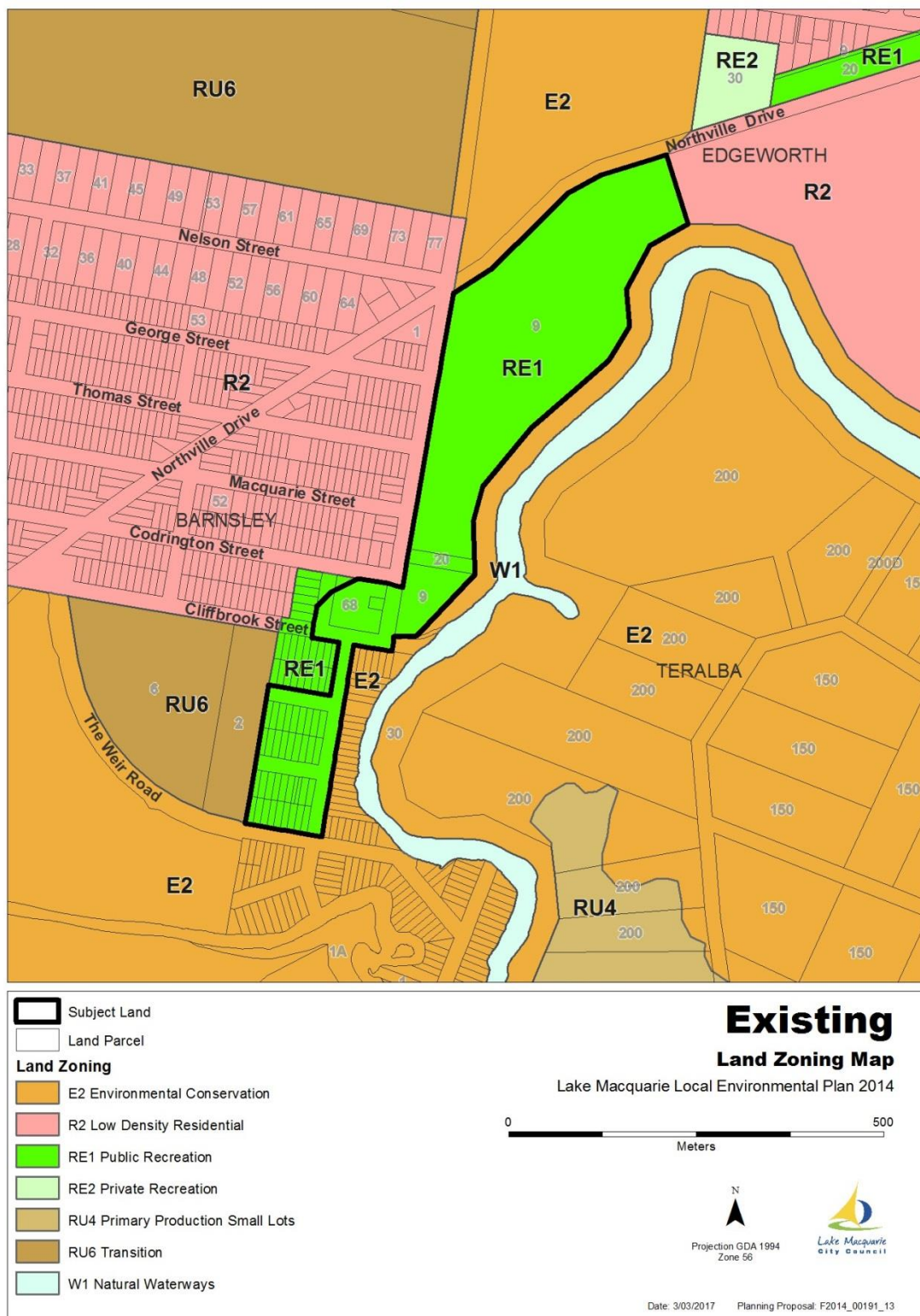


Figure 63: Existing Zoning - Item 10 – Northville Drive, Edgeworth/Barnsley

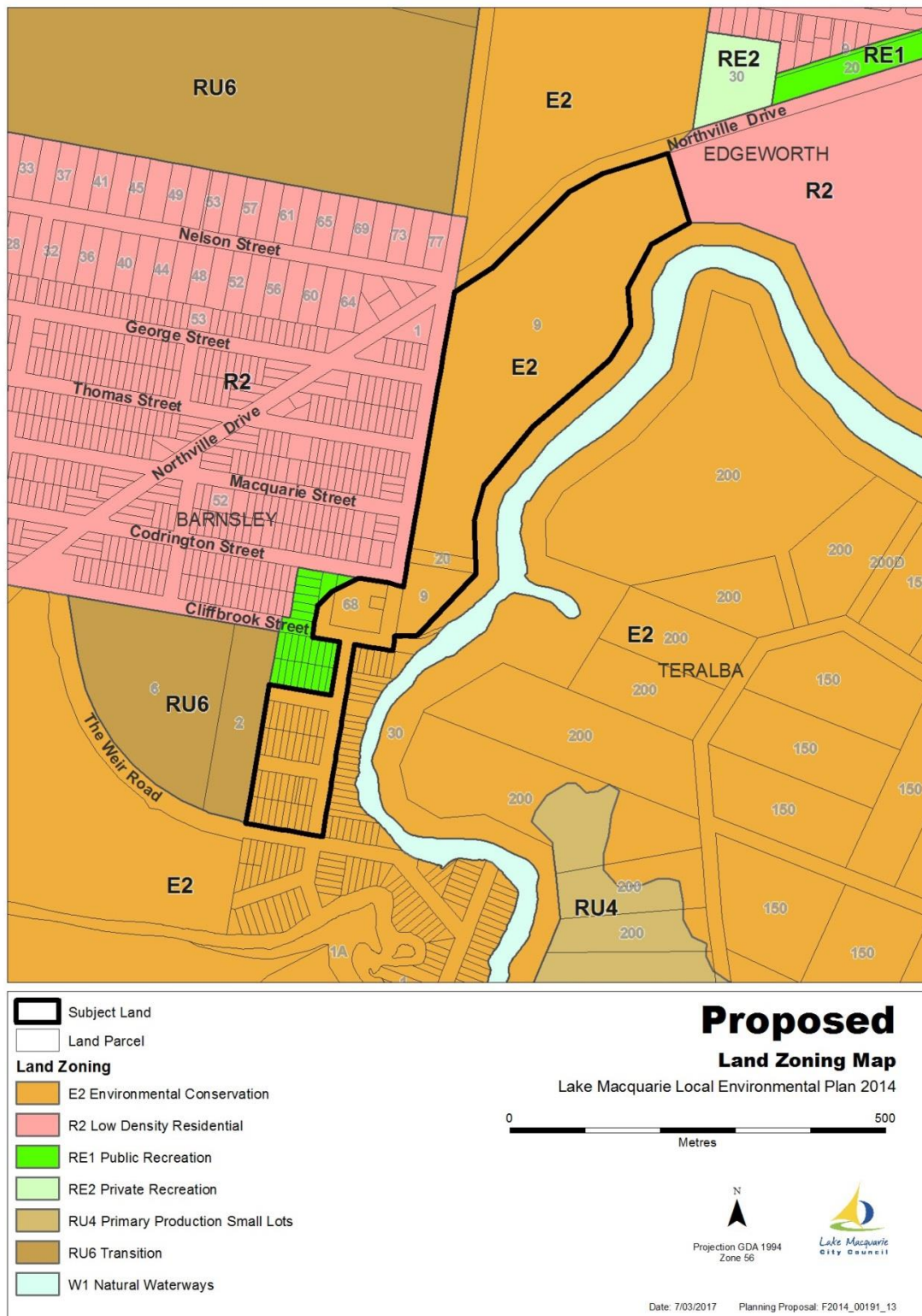


Figure 64: Proposed Zoning - Item 10 – Northville Drive, Edgeworth/Barnsley



Figure 65: Existing Height of Building - Item 10 – Northville Drive, Edgeworth/Barnsley

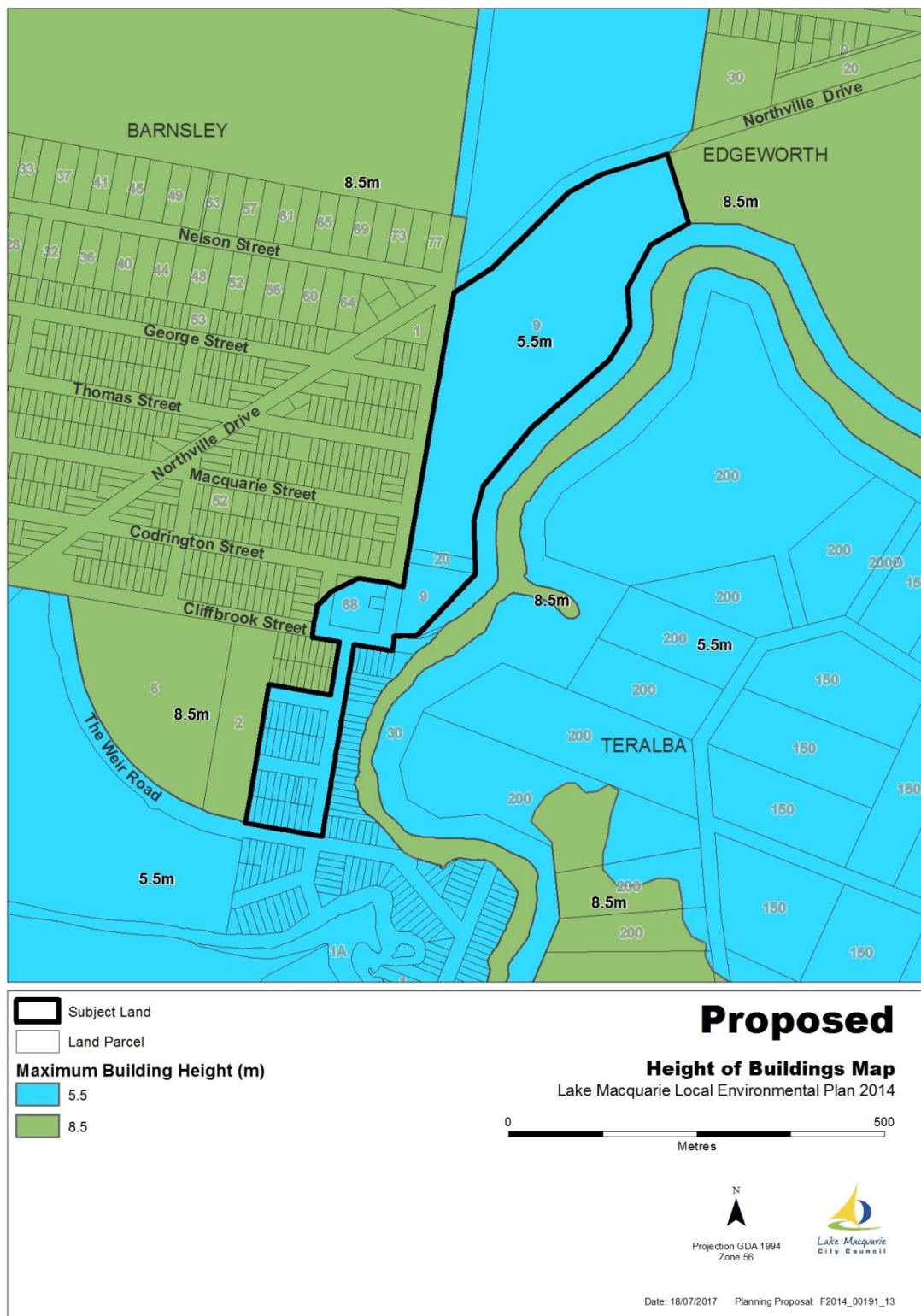


Figure 66: Proposed Height of Building - Item 10 – Northville Drive, Edgeworth/Barnsley

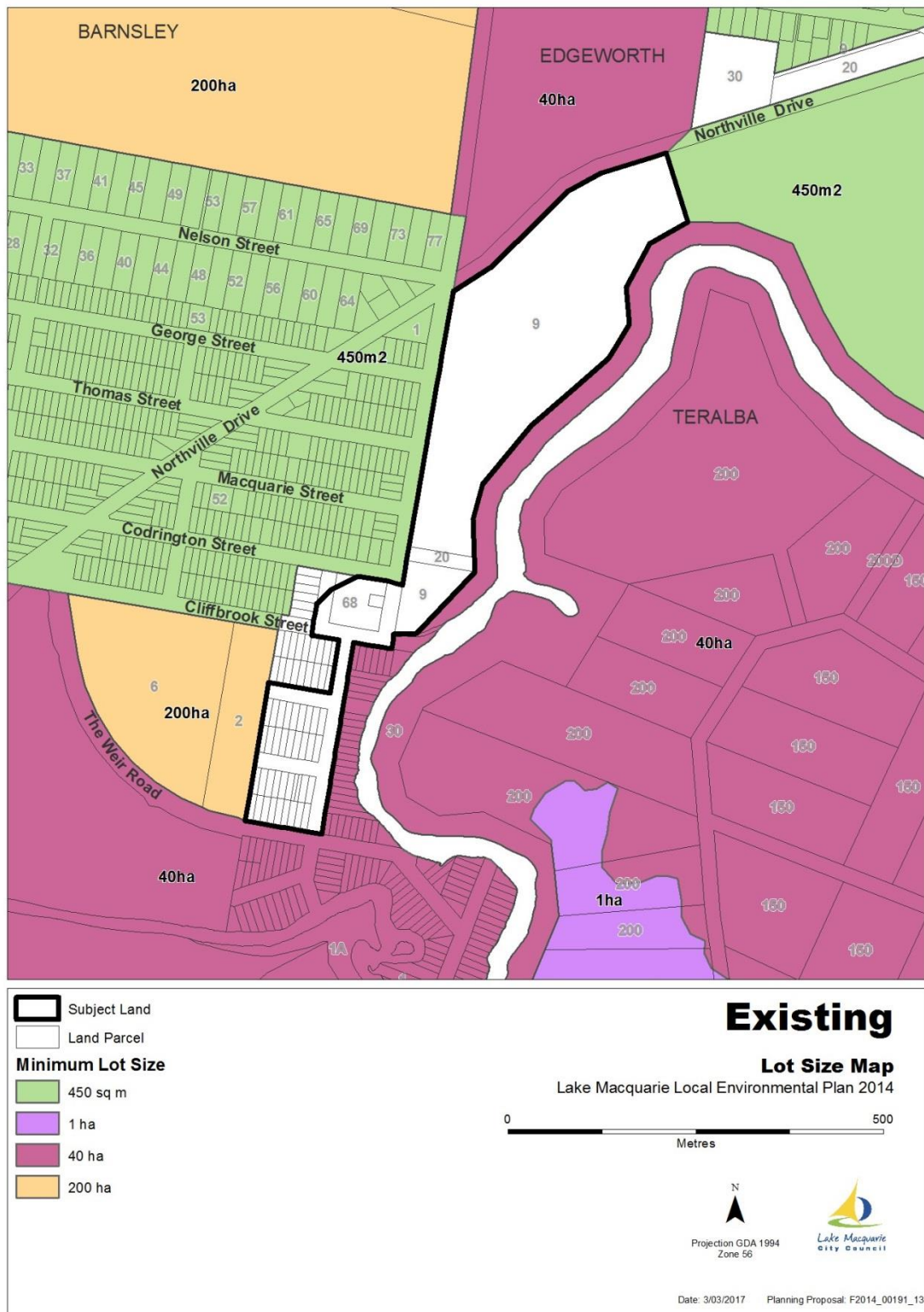
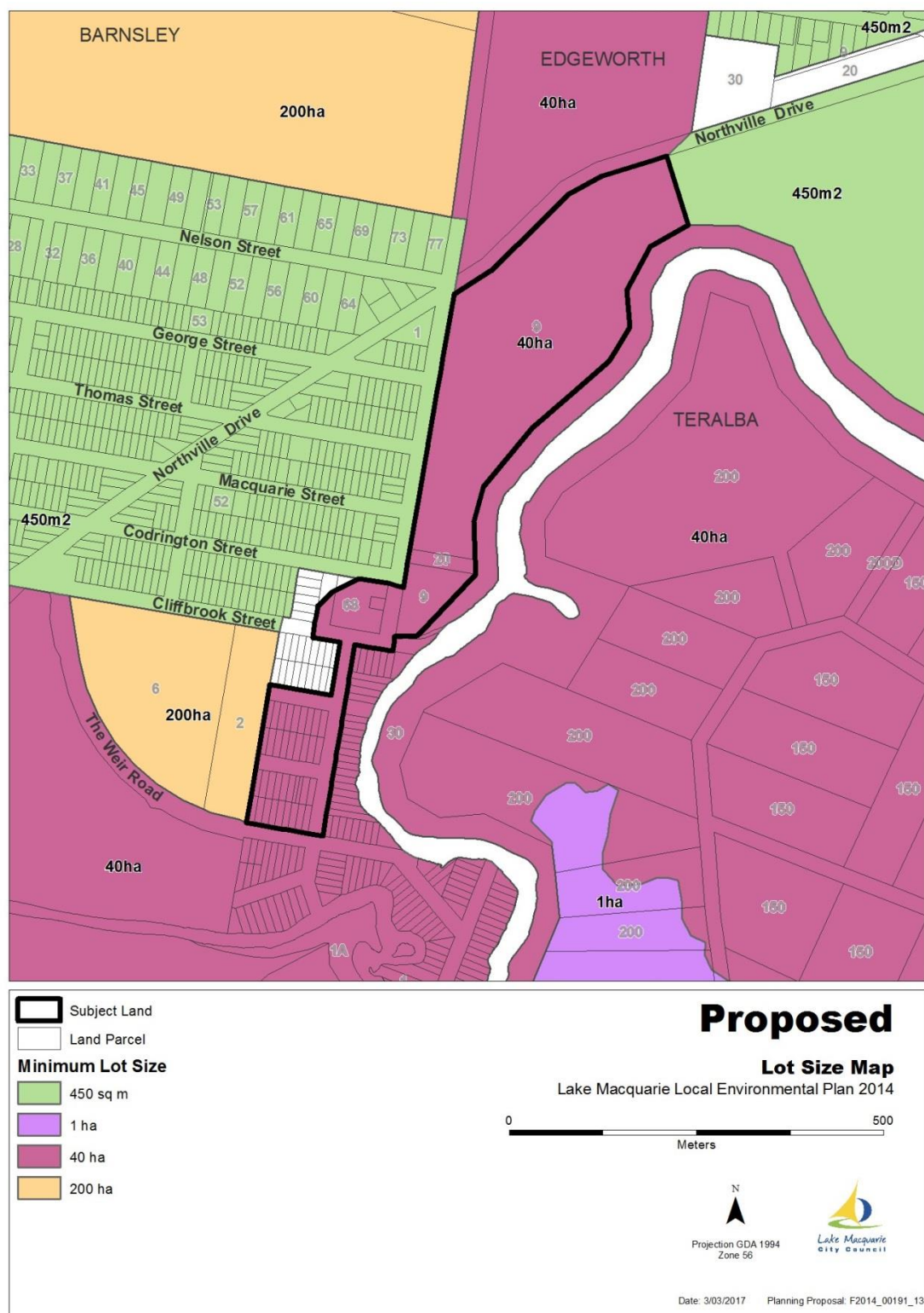


Figure 67: Existing Lot Size - Item 10 – Northville Drive, Edgeworth/Barnsley



Item 11 – Part of Slatey Creek, Holmesville

11 - Part of Slatey Creek – Holmesville	
Address (the site)	1A Asher Street, Holmesville (Lot 5 and 10 Sec X DP 5432), 8 Queen Street, Holmesville (Lot 1 and 2 Sec F DP 5432), 6 Queen Street, Holmesville (Lot 3 Sec F DP 5432), Part 60A Appletree Road, Holmesville Part Lot 650 DP 571041), Part 77 Appletree Road, Holmesville (Part Lot 1 DP 1001812)
Owner:	LMCC and Hunter Development Corporation (Pony Club)
Site area:	54225m ²
Existing Uses:	Riparian corridor and electricity easement, bushland.
Existing Zones:	RE1 Public Recreation (LMCC land) and E3 Environmental Management
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone land from RE1 Public Recreation to E2 Environmental Conservation.
Background and Justification:	<p>Part of Slatey Creek. Riparian corridor. Includes Alluvial Riparian Blackbutt Forest (River-flat Eucalypt Forest on Coastal Floodplains EEC), Red Ironbark - Paperbark Forest (Lower Hunter Spotted Gum - Ironbark Forest) EEC.</p> <p>The site is not identified as being suitable for recreation in the Glendale Recreation and Land Plan and is not identified for future recreational needs in the Glendale Contributions Plan, with this site being part of riparian area and creekline and being unsuitable for recreation. The RE1 Public Recreation and RE2 Private Recreation zone will be retained for adjoining land that is utilised for recreational uses.</p>
Other Environmental Constraints	Bushfire prone land, acid sulphate soils, flood control lot, mine subsidence district.
Consultation	Hunter Development Corporation have no objection to the proposed rezoning from E3 Environmental Management to E2 Environmental Conservation.



Figure 69: Aerial Photo - Item 11 - Part of Slatey Creek – Holmesville

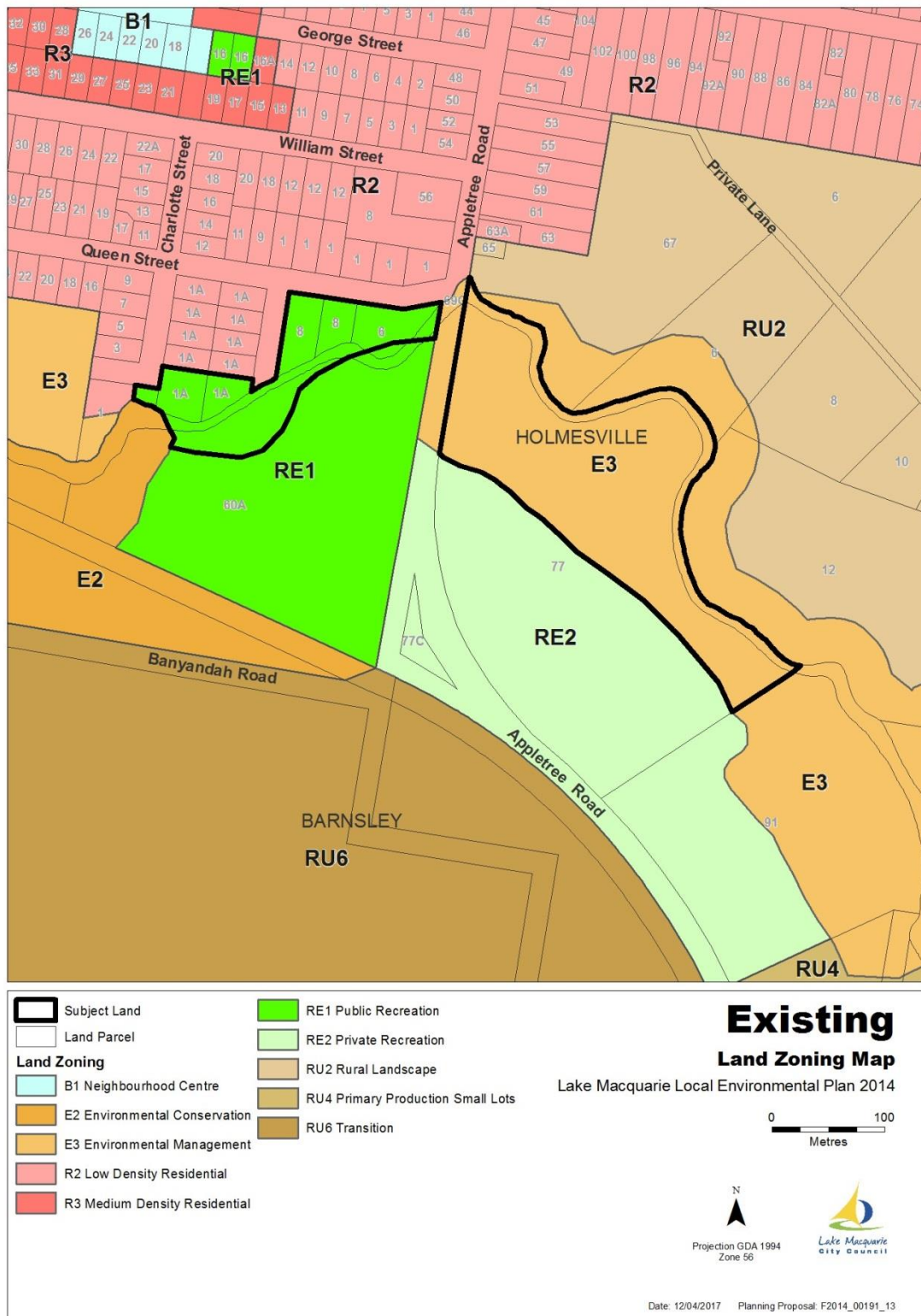


Figure 70: Existing Zoning - Item 11 - Part of Slatey Creek – Holmesville

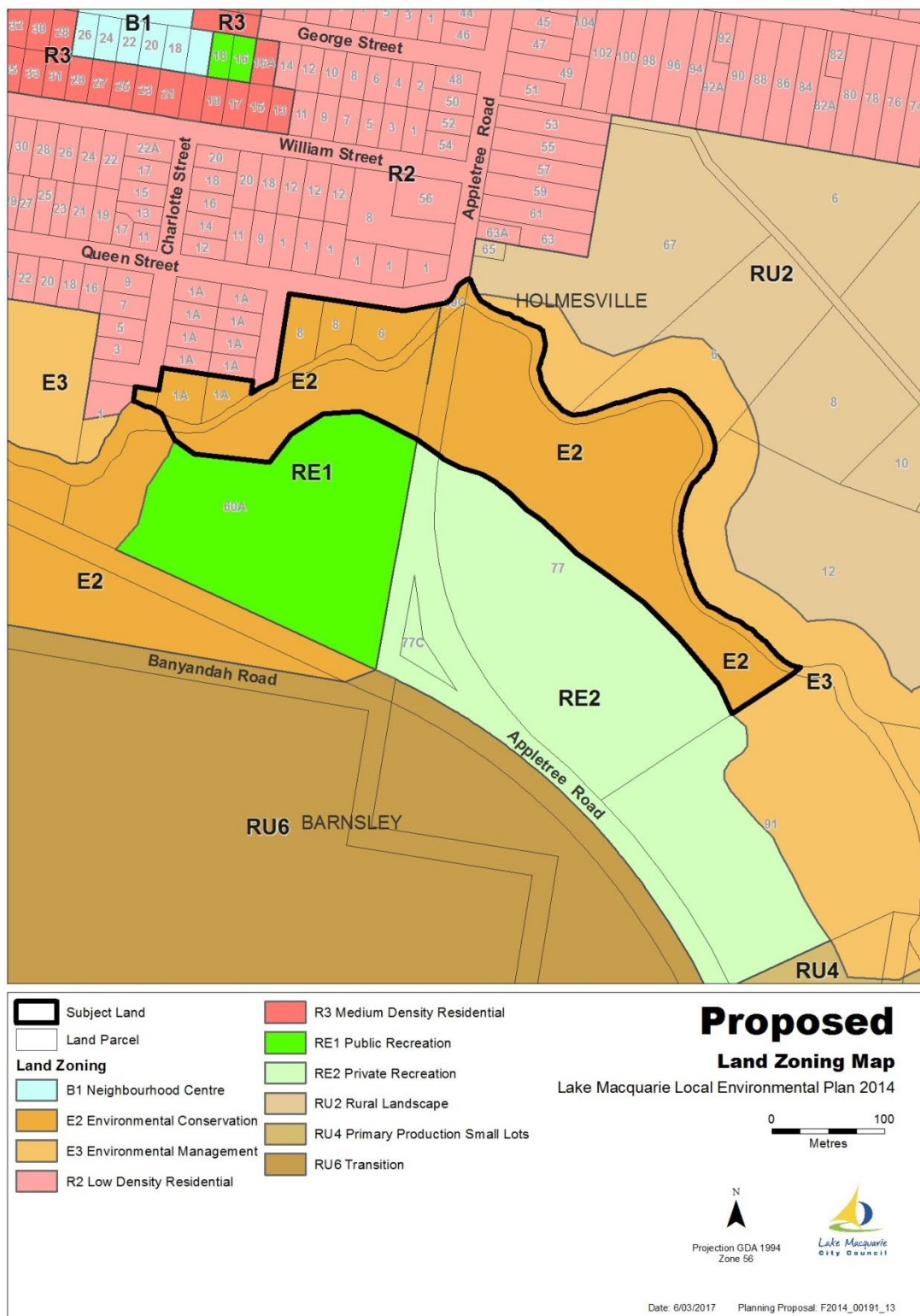


Figure 71: Proposed Zoning - Item 11 - Part of Slatey Creek – Holmesville

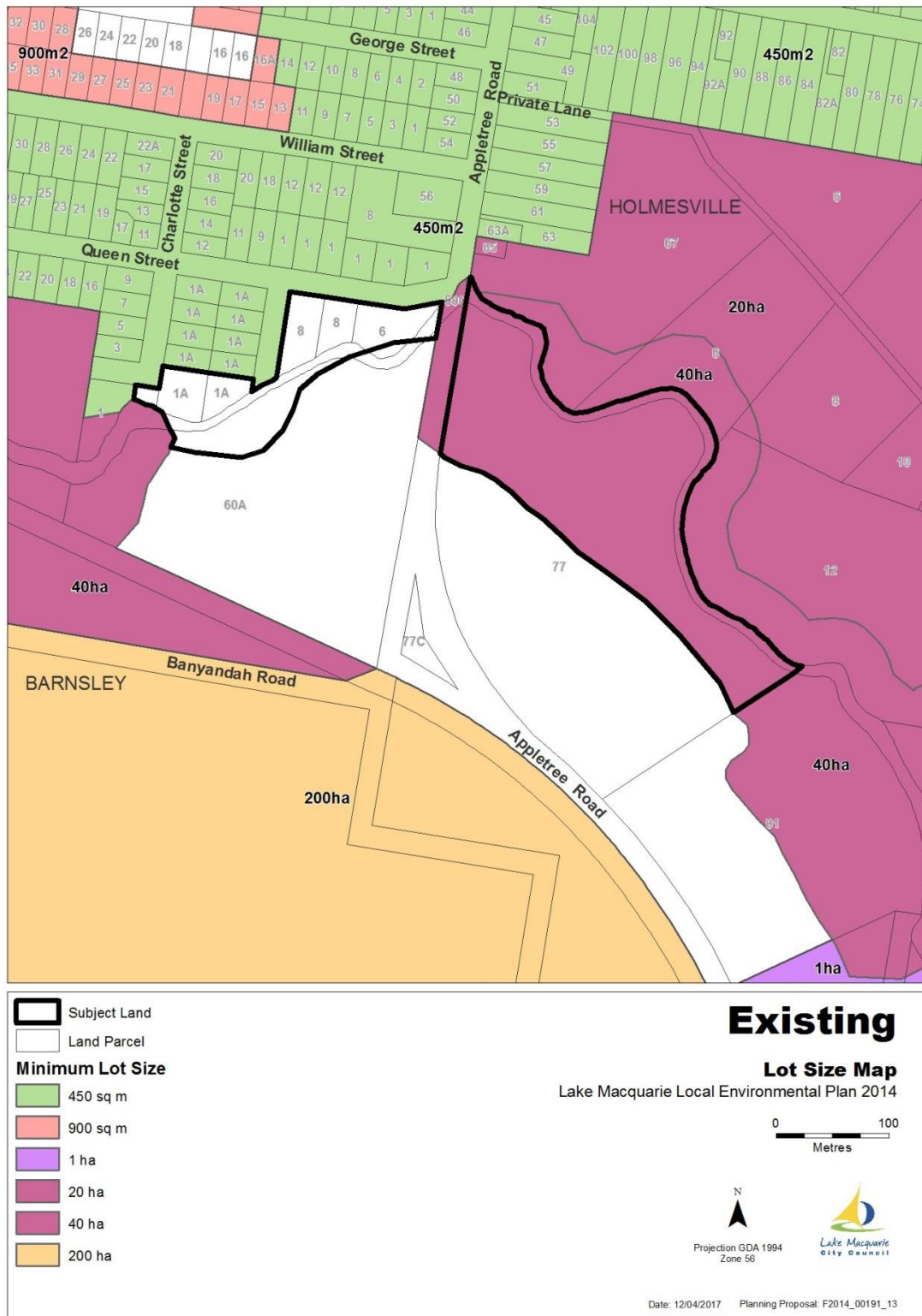


Figure 72: Existing Lot Size - Item 11 - Part of Slatey Creek – Holmesville

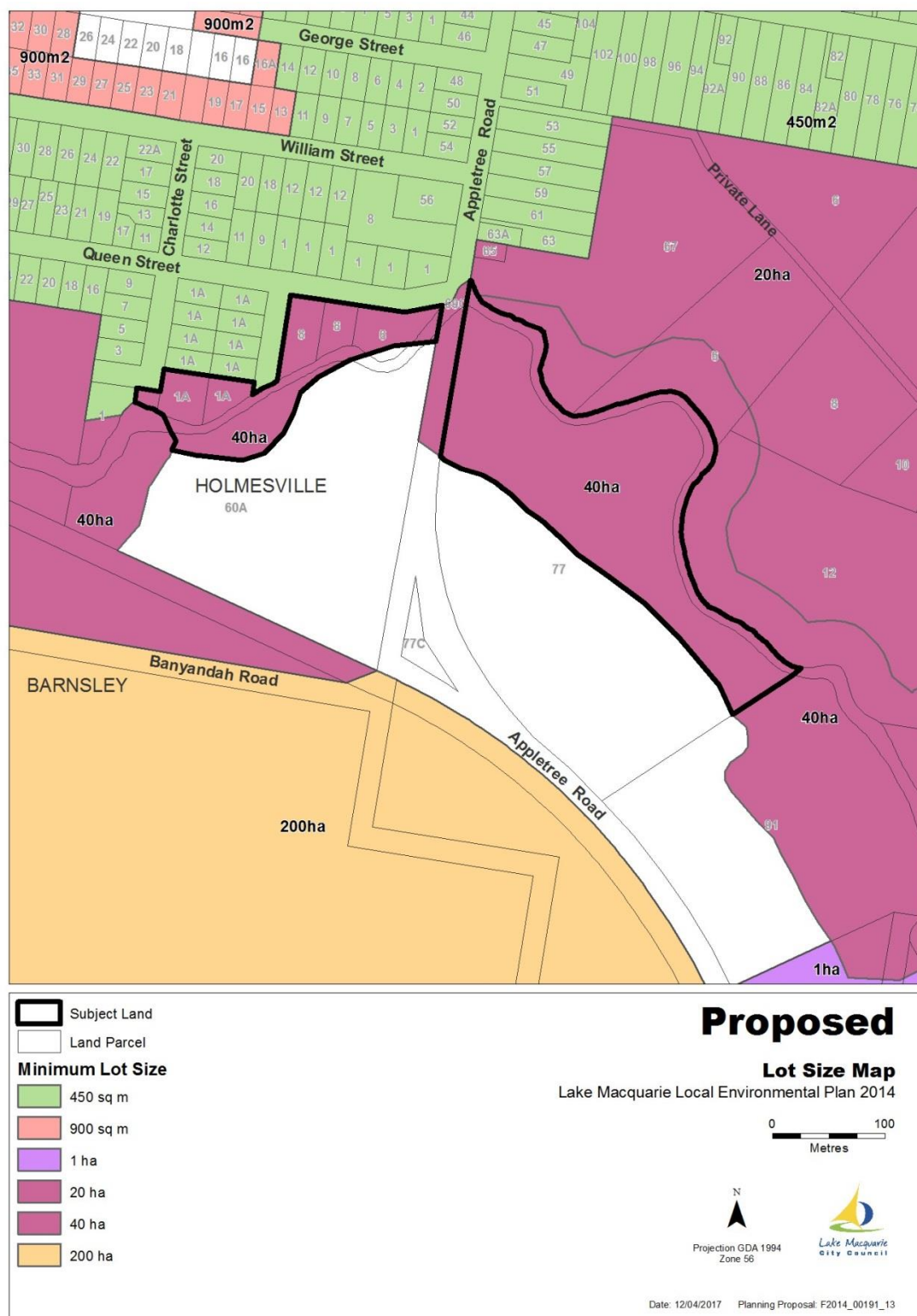


Figure 73: Proposed Lot Size - Item 11 - Part of Slatey Creek – Holmesville

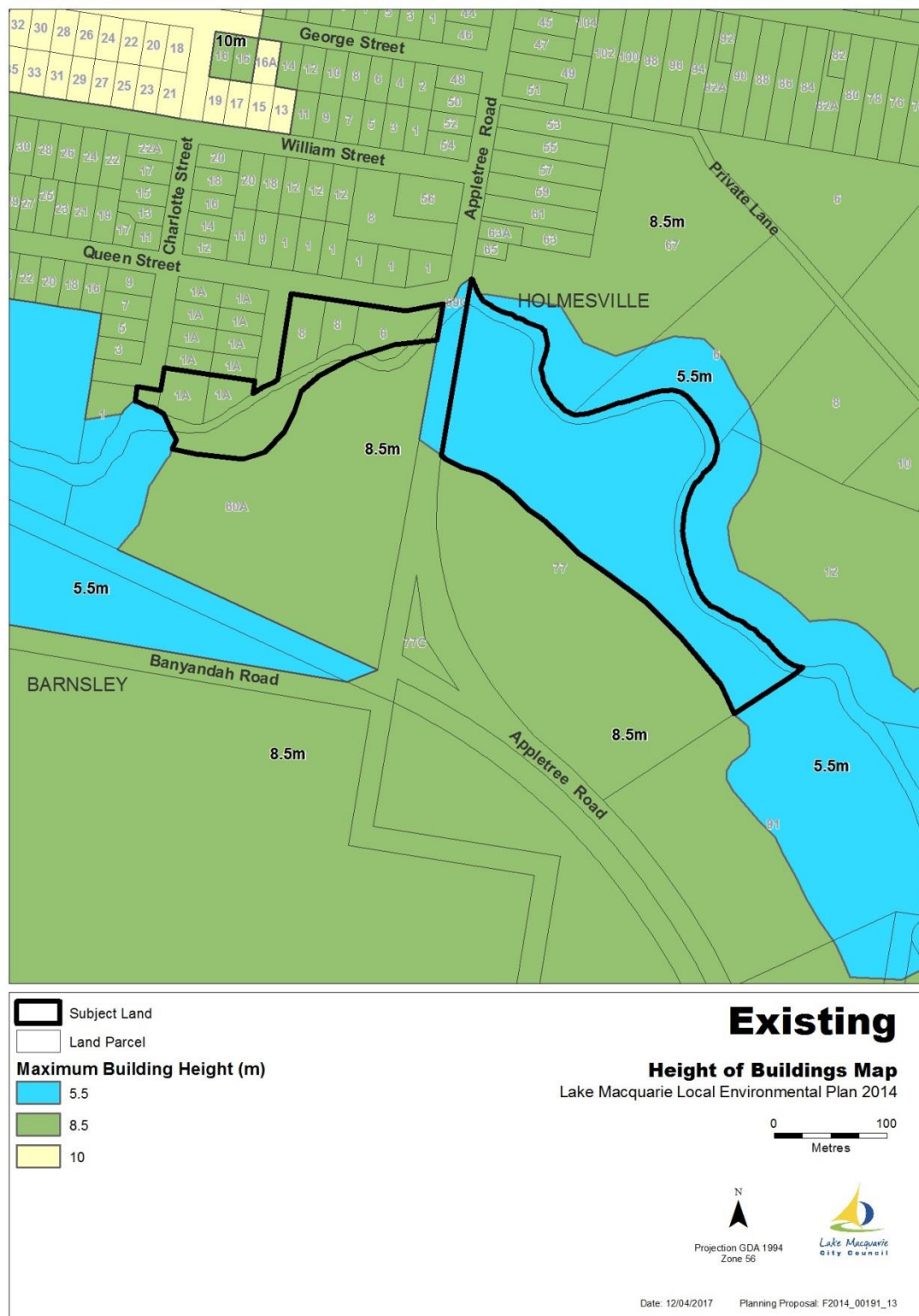


Figure 74: Existing Height of Building - Item 11 - Part of Slatey Creek – Holmesville

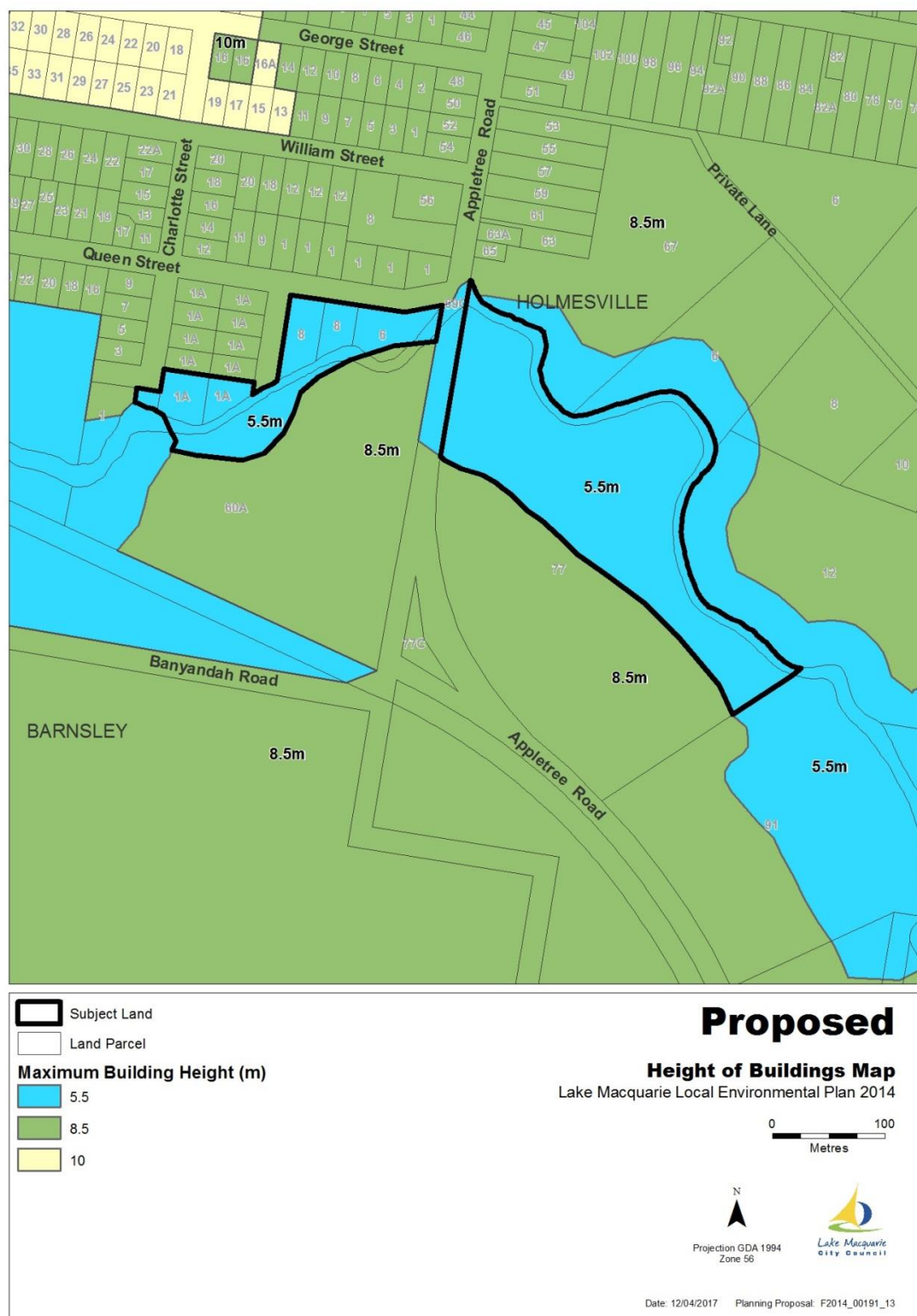


Figure 75: Proposed Height of Building - Item 11 - Part of Slatey Creek – Holmesville

Item 12 – Belmont State Wetlands Park

Item 12 - 1392 – Belmont State Wetlands Park	
Address (the site)	Part 1A Stanley Street, Belmont (Part Lot 20 DP 817883), Part 18A Masters Street, Belmont North (Part Lot 1 DP208759 and Part Lot 2 DP 105964).
Owner:	Land and Management Property Authority
Site area:	37.85 ha
Existing Uses:	Bushland – Part of Belmont State Wetlands Park
Existing Zones:	E3 Environmental Management
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone part of Belmont State Wetlands Park from E3 Environmental Management to E2 Environmental Conservation
Background and Justification:	Part of Belmont State Wetlands Park and intact vegetation. The Belmont State Wetlands Plan of Management shows no development in this area and only a walking trail located in this area mainly along the boundary of this area. An E2 Environmental Conservation zone will not affect the ability to provide a walking track in this area. The E2 zone is consistent with the objectives of this land in the Belmont State Wetlands Plan of Management.
Other Environmental Constraints	Acid sulphate Soils Class 3, Sensitive Aboriginal Landscape
Consultation	<p>The Department of Industry – Lands advised they have no objection to the rezoning proposal, however the care, control and management of the site are the responsibility of the appointed trust manager – Belmont State Wetlands Park Trust and recommended further consultation with this Trust.</p> <p>No response was received from the Belmont State Wetlands Park Trust. Further consultation will occur following the Gateway determination.</p>

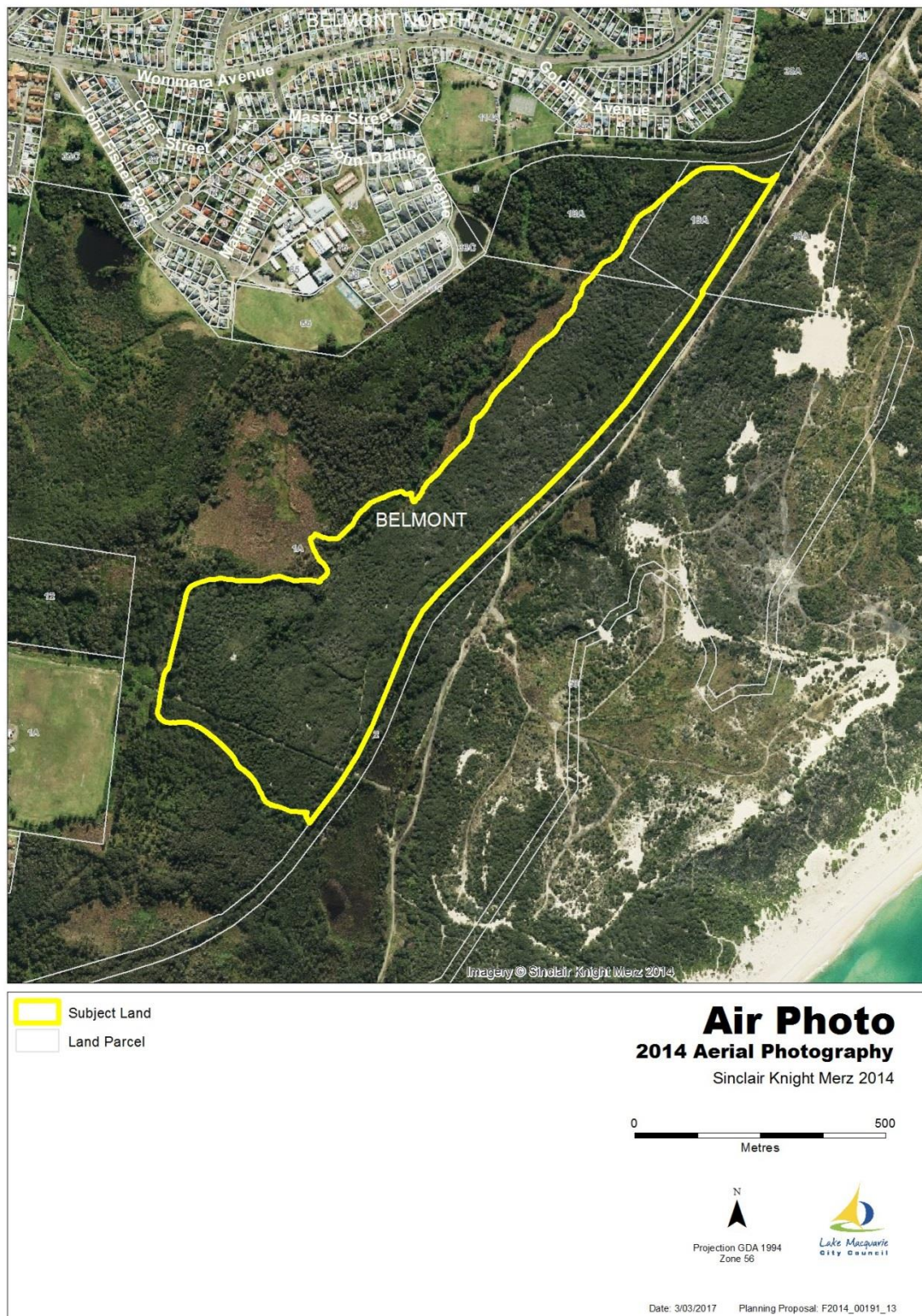


Figure 76: Aerial Photo - Item 12 - Belmont State Wetlands Park

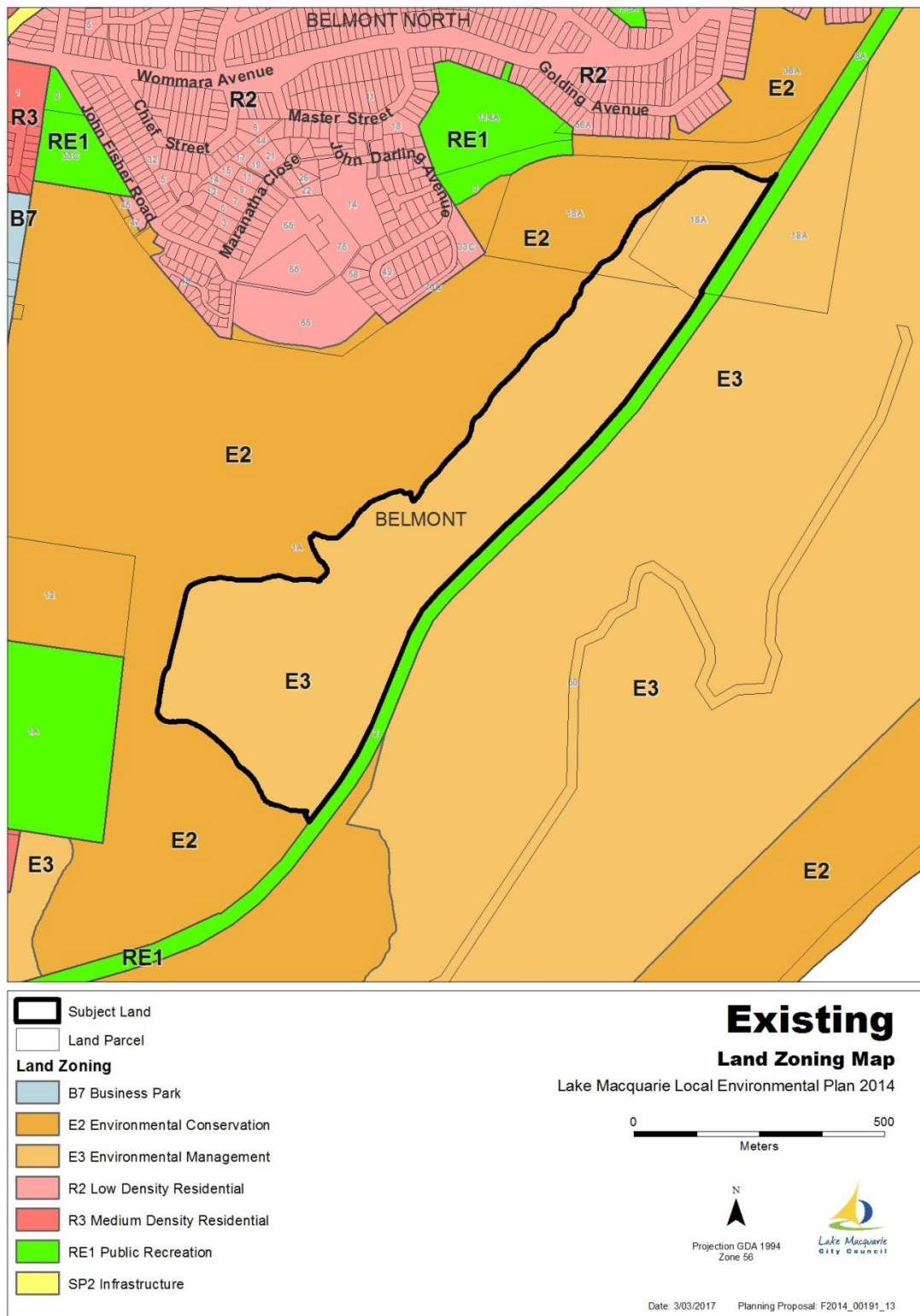


Figure 77: Existing Zoning - Item 12 - Belmont State Wetlands Park

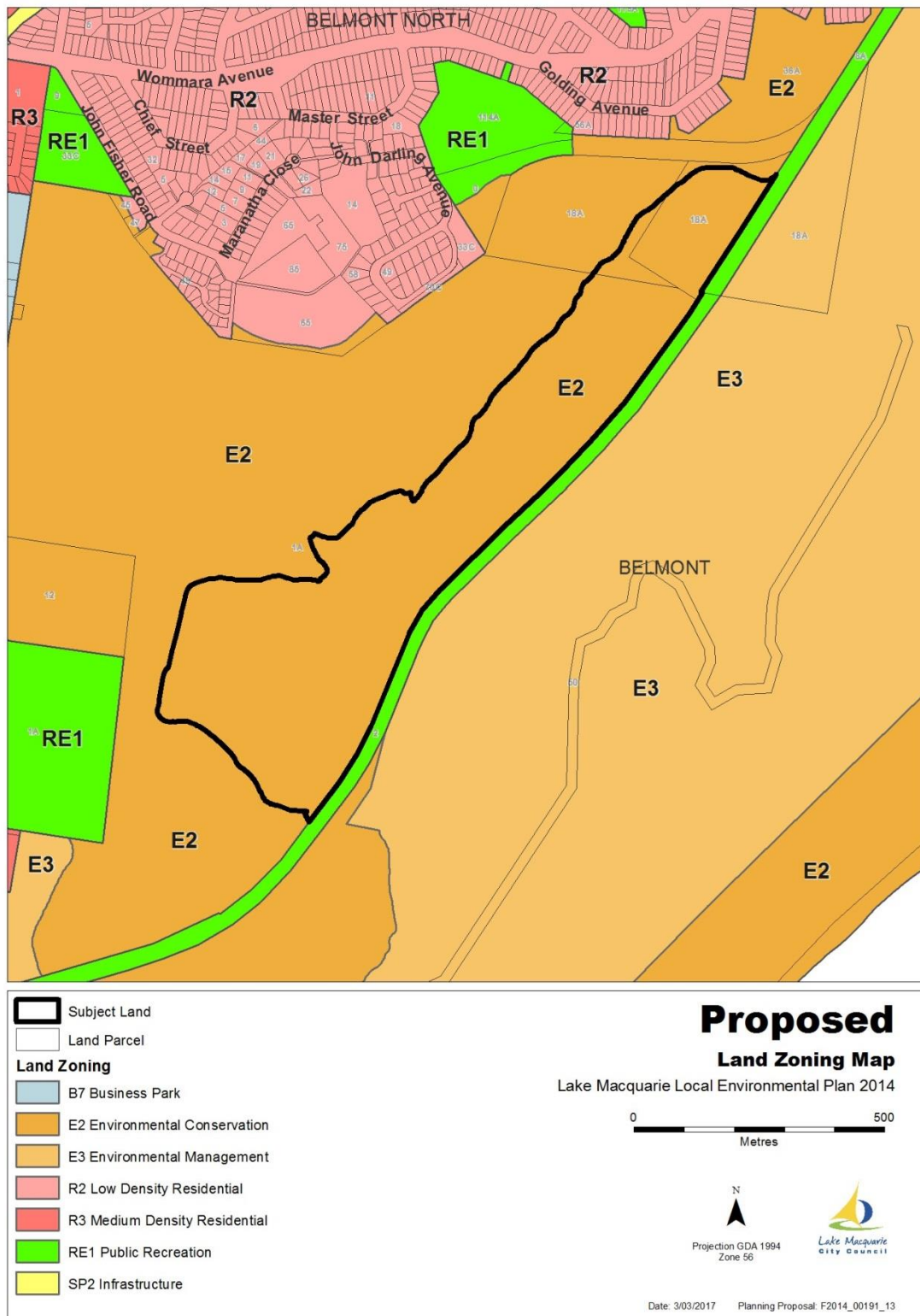


Figure 78: Proposed Zoning - Item 12 - Belmont State Wetlands Park

Item 13 – Part 177 Winton Road, Awaba

13 – 1073 - Part 177 Wilton Road, Awaba	
Address (the site)	Part 177 Wilton Road, Awaba (Part Lot 426 DP 823739)
Owner:	Department of Industry - Lands
Site area:	7417m ²
Existing Uses:	Part of a larger zoned area of RE1 Public Recreation land in Awaba. Parcel is vegetated. The larger RE1 owned land is owned by Lands and LMCC.
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation.
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	Site contains the Swamp Sclerophyll Forest on Coastal Floodplains EEC.
Other Environmental Constraints:	Bushfire Prone Land, part of easement for waste water pump station. Property has Stony Creek flowing through it. The Toronto Contributions Catchment – Recreation and Land Plan and Contributions Catchment Plan does not recognise any additional recreational land required for the Awaba area. The adjoining land that is zoned for public recreation will be maintained.
Consultation:	The Department of Industry – Lands has no objection to the rezoning proposal. The site is Crown Reserve 19445 for Drainage, gazetted 20 January 1894. Care, control and management of this reserve devolve to Lake Macquarie City Council.



Figure 79: Aerial Photo - Item 13 - Part 177 Wilton Road, Awaba

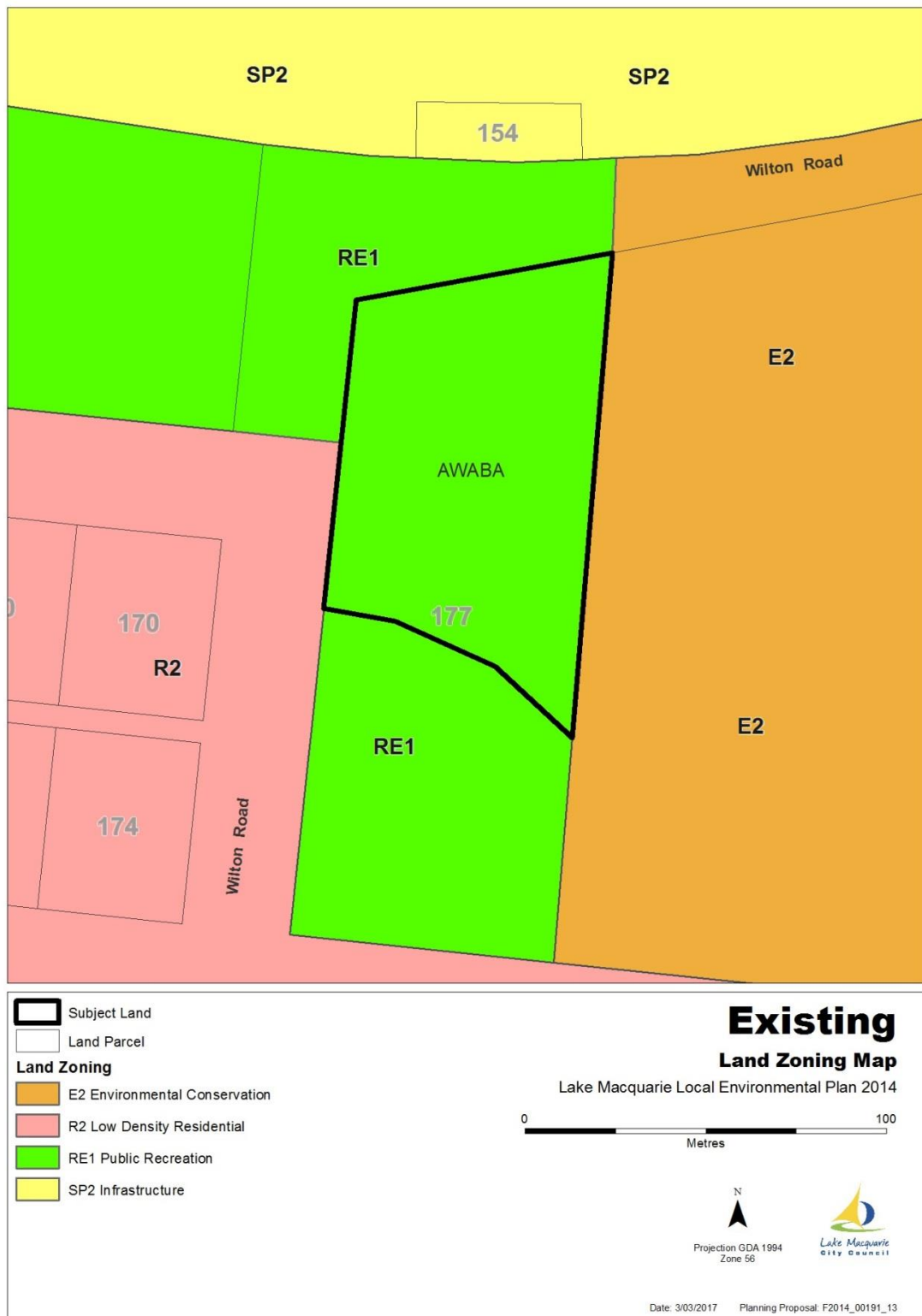


Figure 80: Existing Zoning - Item 13 - Part 177 Wilton Road, Awaba

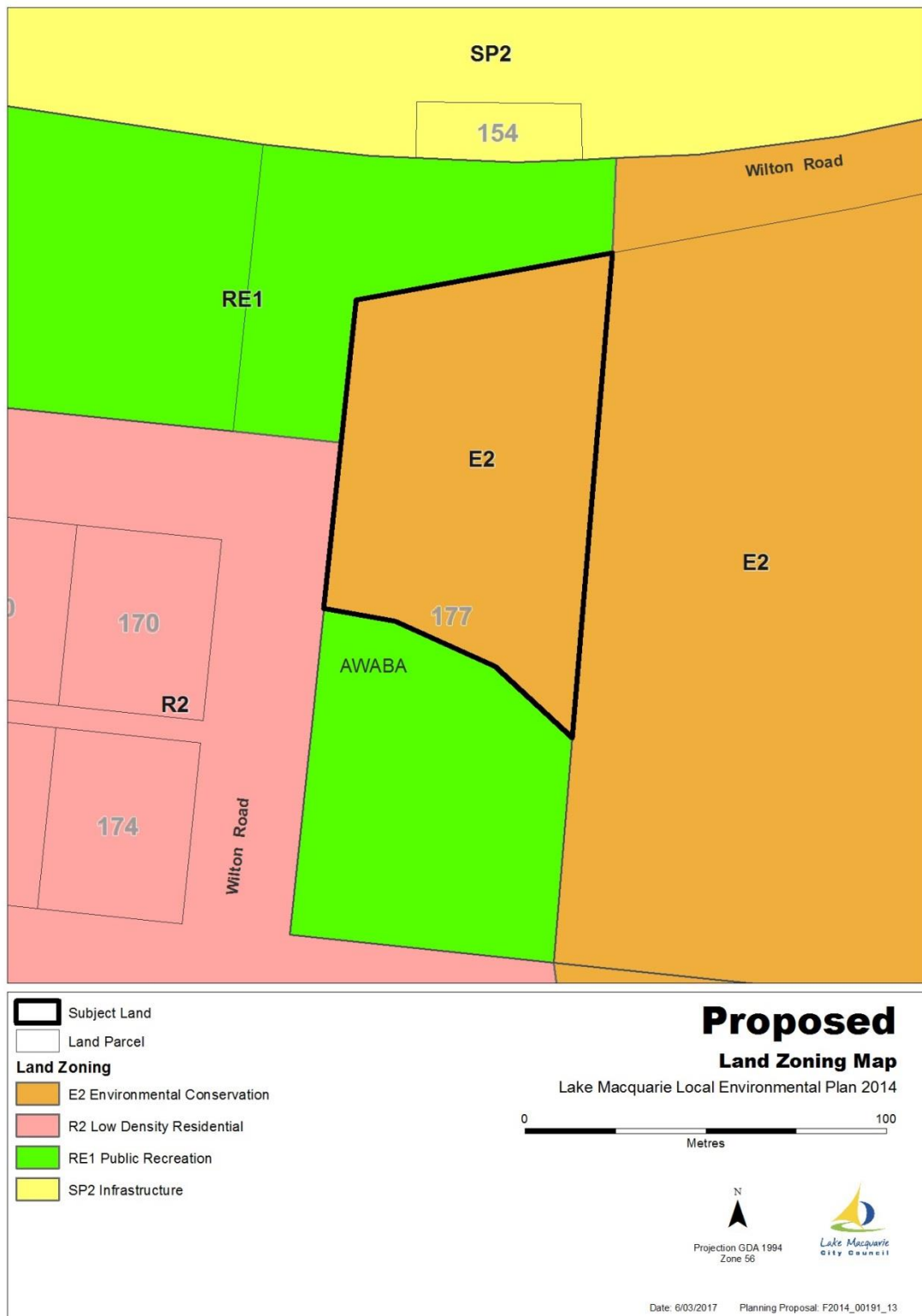


Figure 81: Proposed Zoning - Item 13 - Part 177 Wilton Road, Awaba

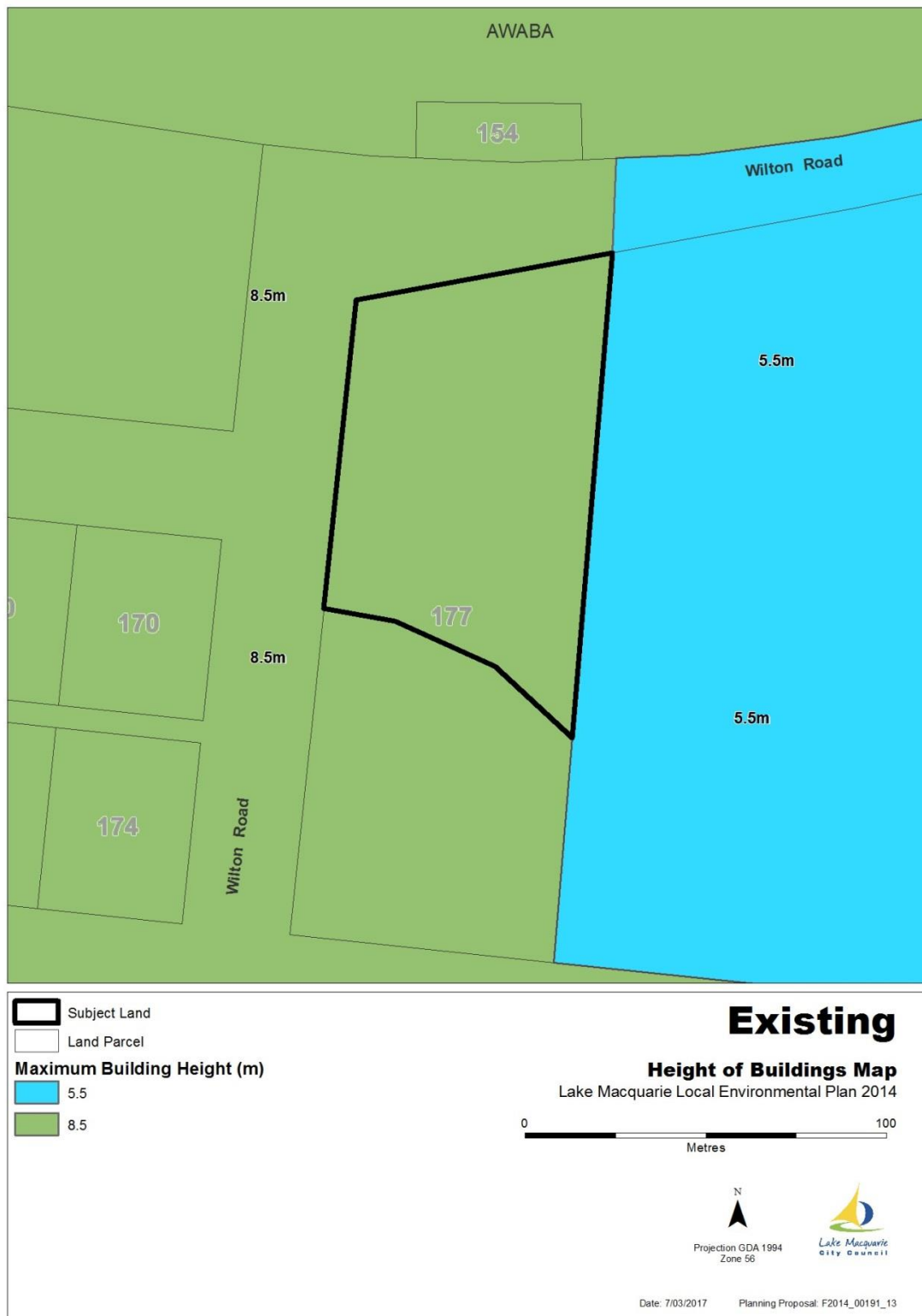


Figure 82: Height of Building - Item 13 - Part 177 Wilton Road, Awaba

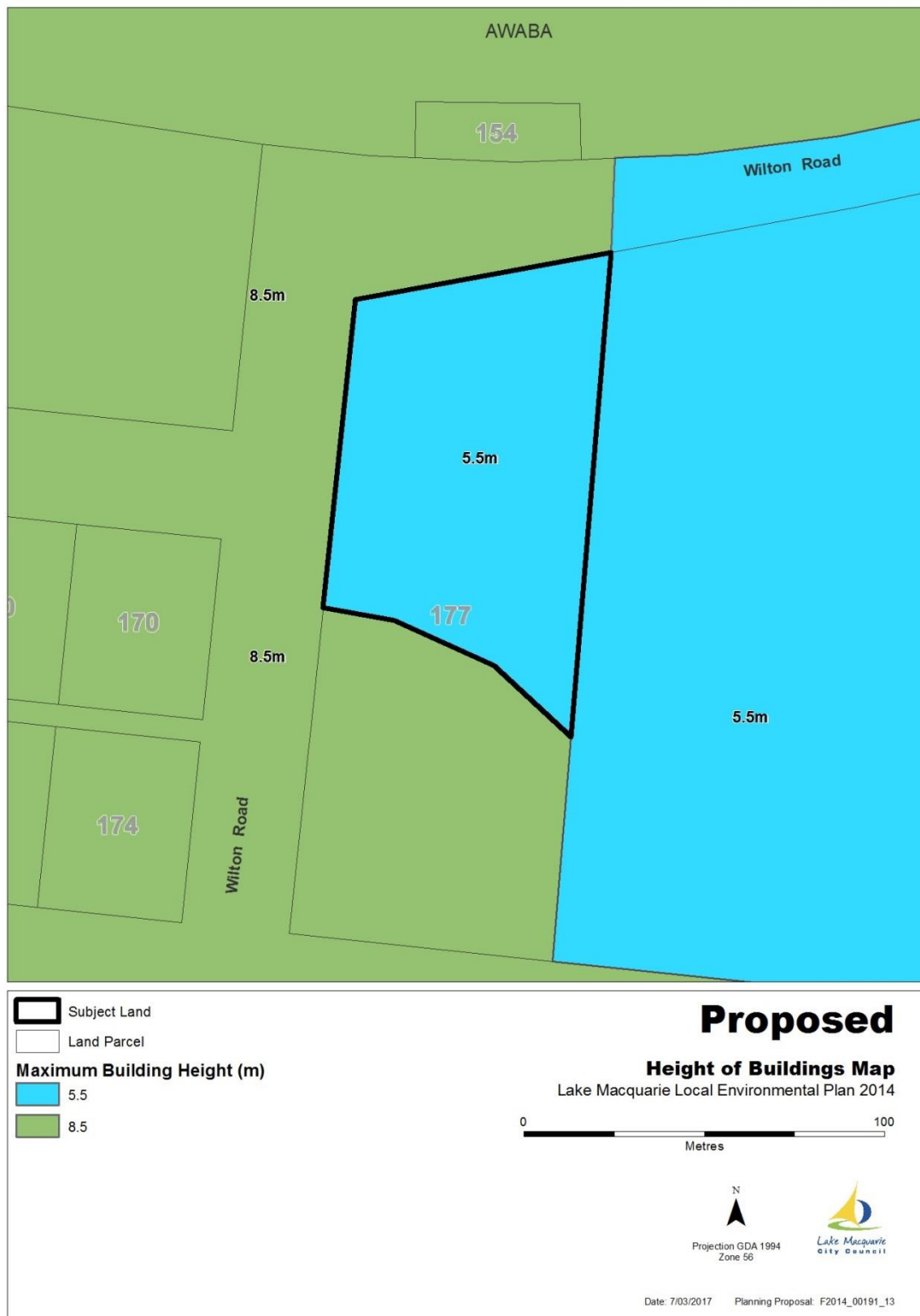


Figure 83: Proposed Height of Building - Item 13 - Part 177 Wilton Road, Awaba



Figure 84: Existing Lot Size - Item 13 - Part 177 Wilton Road, Awaba

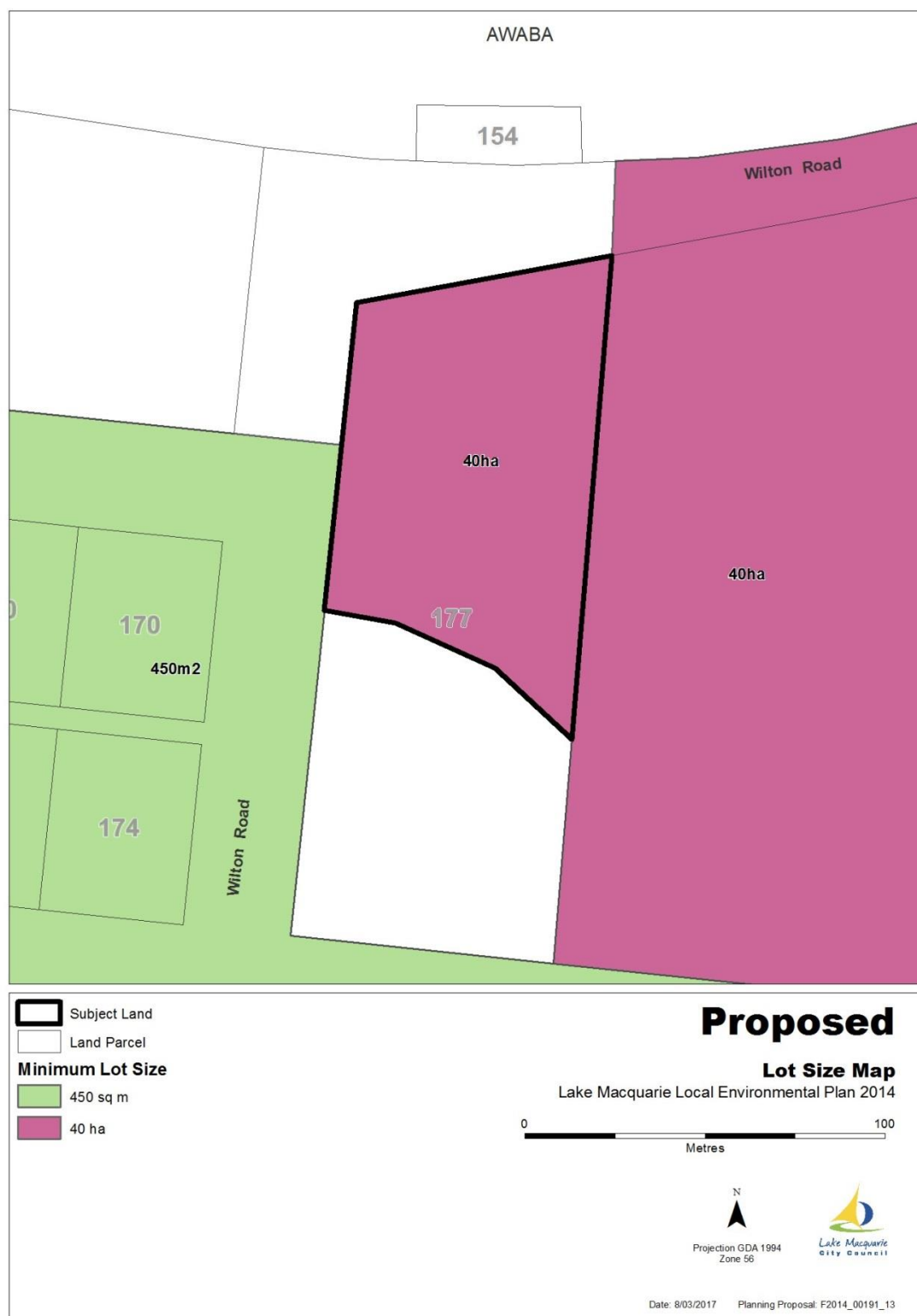


Figure 85: Proposed Lot Size - Item 13 - Part 177 Wilton Road, Awaba

Item 14 – 2 Campview Road, Morisset

14 - 2 Campview Road, Morisset	
Address (the site)	2 Campview Road, Morisset (Lot 7055 DP 1124688)
Owner:	Biraban Local Aboriginal Land Council
Site area:	5.90 ha
Existing Uses:	Vegetated area
Existing Zones:	RE1 Public Recreation
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation
Background and Justification:	<p>The site contains a highly important biodiversity corridor and surveys of the sites have identified significant populations of threatened species, particularly <i>Tetratheca juncea</i>.</p> <p>The site has been identified as being highly important for Squirrel Gliders, and have been modelled as important habitat for Regent Honeyeater, Squirrel Glider, Bibrons Toadlet, Common Scaly-foot, Feathertail Glider, Greater Broad-nosed Bat, Koala High Value Habitat, Masked Owl, Powerful Owl, Pygmy Possum, Spotted-tailed Quoll, Sooty Owl, <i>Callistemon linearifolius</i>, Eucalyptus camfieldii, Swift Parrot, Southern Myotis, Wallum Froglet, Black Bittern, and <i>Typhonium eliosurum</i>. The land is identified in the Morisset Structure Plan as having biodiversity value.</p> <p>Council adopted the Development Contributions Plan 2012 – Morisset Contributions Catchment Plan on 26 November 2012. A Recreation, Open Space and Services Study for the Morisset Contributions Catchment was prepared to identify the existing and future needs to meet the growth in the Morisset catchment. This study did not identify this land parcel as a suitable site for future recreational needs. The Study identified that this site was open space not owned or marked for acquisition by Council. The Study recognises that the majority of existing community land managed by Council is categorised as natural area and is generally unusable for recreation. The majority of natural areas are not useable for recreation activities. These natural areas are primarily for environmental conservation/biodiversity.</p> <p>The Study recognises a need for a new playground and park south of Morisset, though sites considered suitable for this are closer to the Morisset town centre development. This site has not been identified in the Morisset Contributions Plan for future recreational needs.</p>
Environmental Constraints:	Bushfire prone, Part Acid sulphate soils – class 5, SEPP 71- Coastal Protection, Mine Subsidence
Consultation:	The Department of Industry – Lands objects to the rezoning proposal. This site is Crown Reserve 7588 for Public Recreation, gazetted 6 October 1888. Care, control and management of the reserve devolve to Lake Macquarie City Council. The current zoning of RE1 permits recreational activities as well as

	<p>environmental protection works and is consistent with the current reserve purpose. The proposed rezoning may restrict potential multiple use of Crown land. The lot is subject to undetermined Aboriginal Land Claims (ALCs) lodged by Biraban (which has subsequently been granted). Biraban LALC should be consulted on the proposal. Consultation with Biraban LALC will occur following the Gateway determination.</p>
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Figure 86: Aerial Photo - Item 14 - 2 Campview Road, Morisset

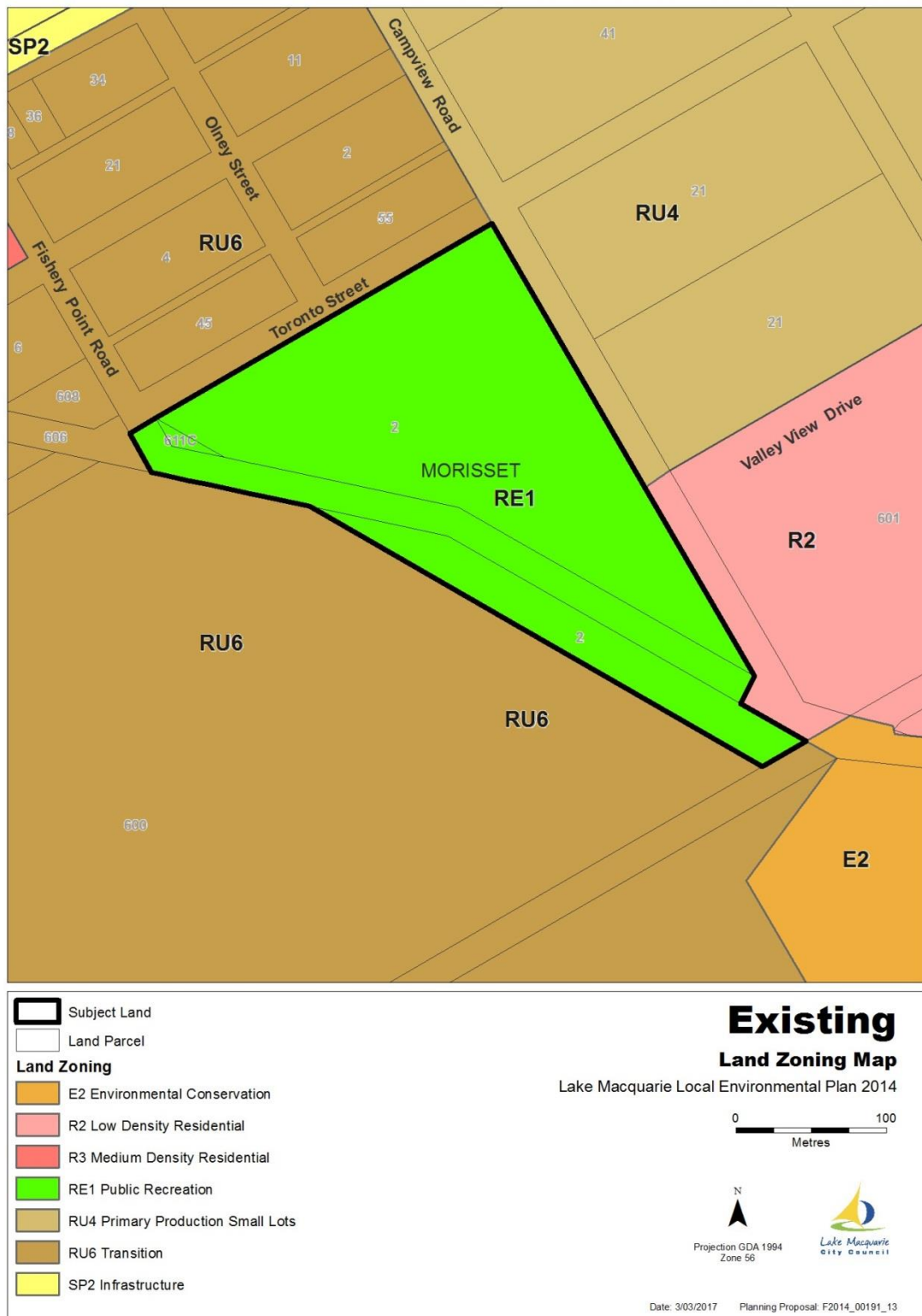


Figure 87: Existing Zoning - Item 14 - 2 Campview Road, Morisset

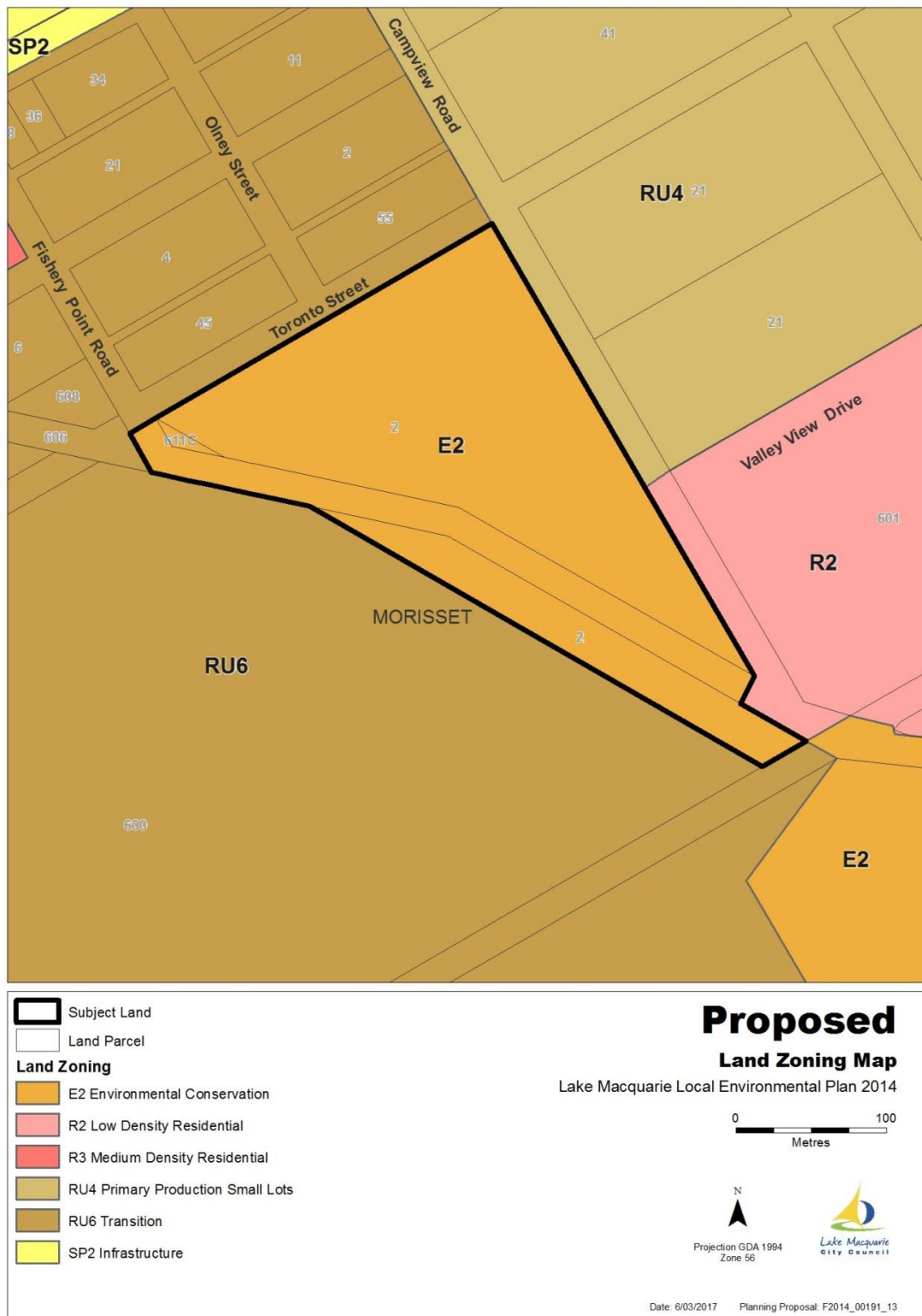


Figure 88: Proposed Zoning - Item 14 - 2 Campview Road, Morisset

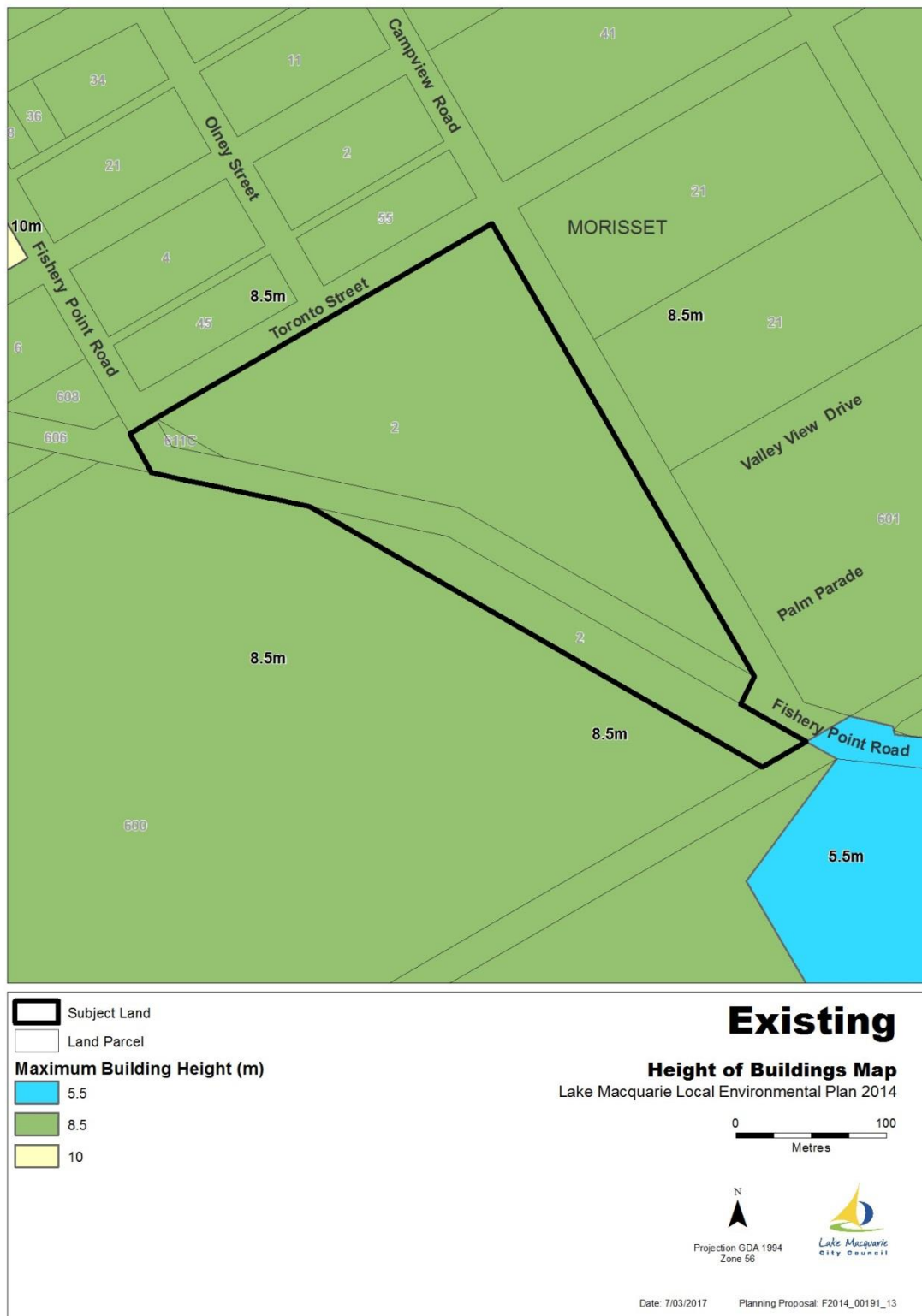


Figure 89: Existing Zoning - Item 14 - 2 Campview Road, Morisset



Figure 90: Proposed Height of Building - Item 14 - 2 Campview Road, Morisset

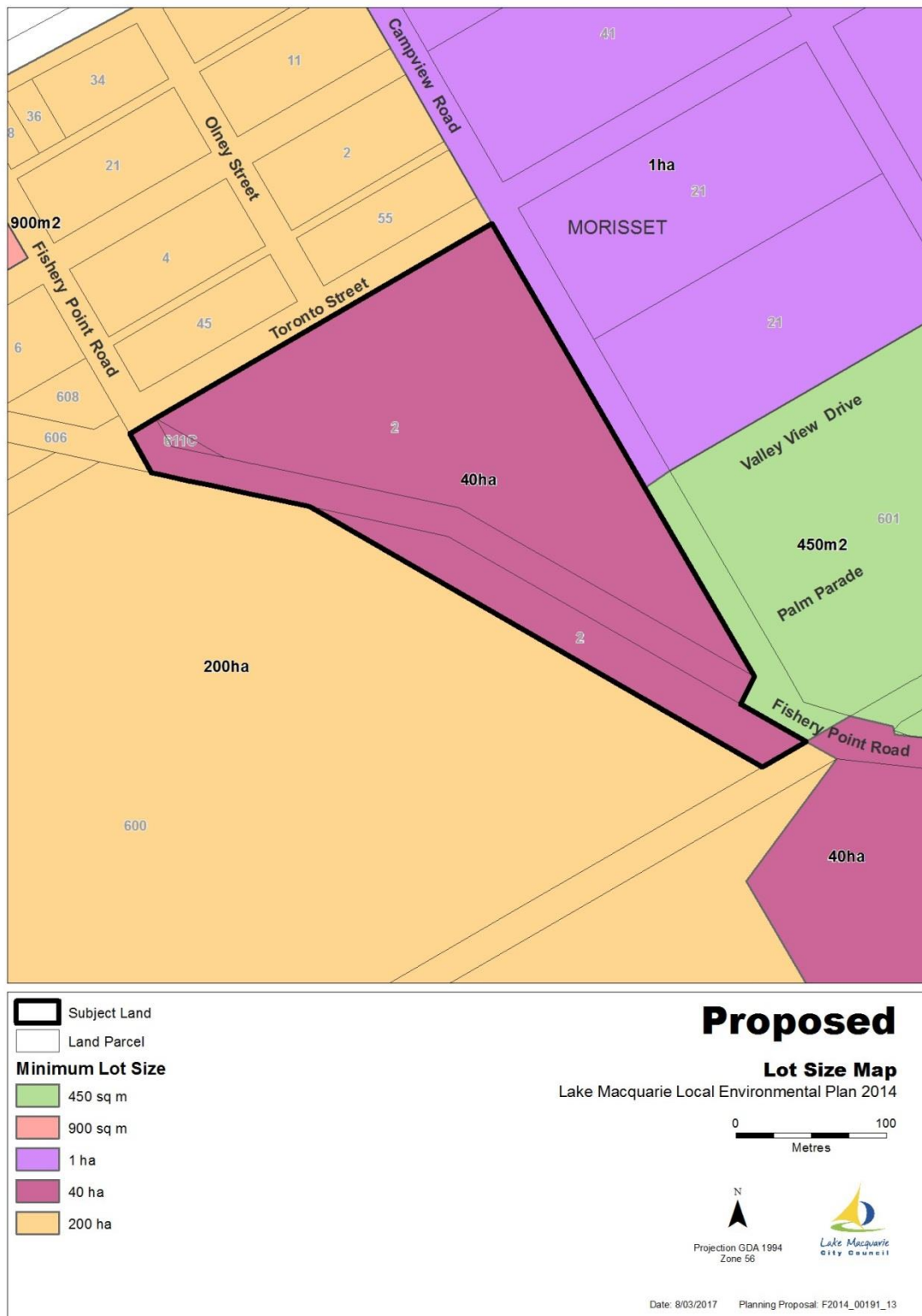


Figure 92: Proposed Lot Size - Item 14 - 2 Campview Road, Morisset

Item 15 – Part 6 Killingworth Road, Holmesville – Slatey Creek

15 - Part of 6 Killingworth Road, Holmesville – Slatey Creek	
Address (the site)	Part of 6 Killingworth Road, Holmesville – Lot PT78 DP 755262 (Hunter Development Corporation) and Part 40 Killingworth Road, Holmesville (Part Lot 651 DP 571041) Part 65 Elizabeth Street, Holmesville - Lot 34 DP 258543 – LMCC land
Owner:	Hunter Development Corporation. LMCC also owns some land.
Site area:	48238m ²
Existing Uses:	Part of Slatey Creek and riparian area
Existing Zones:	RE1 Public Recreation and acquisition layer
Proposed Zone:	E2 Environmental Conservation.
Proposal:	Rezone from RE1 Public Recreation to E2 Environmental Conservation and remove acquisition layer.
Background and Justification:	<p>The site is part of a riparian corridor and part of Slatey Creek. The remaining section of Slatey Creek is largely zoned E2 Environmental Conservation and E3 Environmental Management. Site contains River-Flat Eucalypt Forest on Coastal Floodplains EEC.</p> <p>The site is not identified as being suitable for recreation in the Glendale Recreation and Land Plan and is not identified for future recreational needs in the Glendale Contributions Plan, with this site being part of Slatey Creek and unsuitable for recreation. The RE1 Public Recreation zone will be retained for adjoining land that is utilised for recreational uses.</p>
Other Environmental Constraints	Flood control lot – high hazard, Mine subsidence, AGL Gas pipeline
Consultation:	Hunter Development Corporation have advised that they do not have any issues with the proposed rezoning from RE1 Public Recreation to E2 Environmental Conservation for Part Lot PT78 DP755262 and Part Lot 651 DP 571041. Hunter Development Corporation does not have any current agistment licences located on these areas.

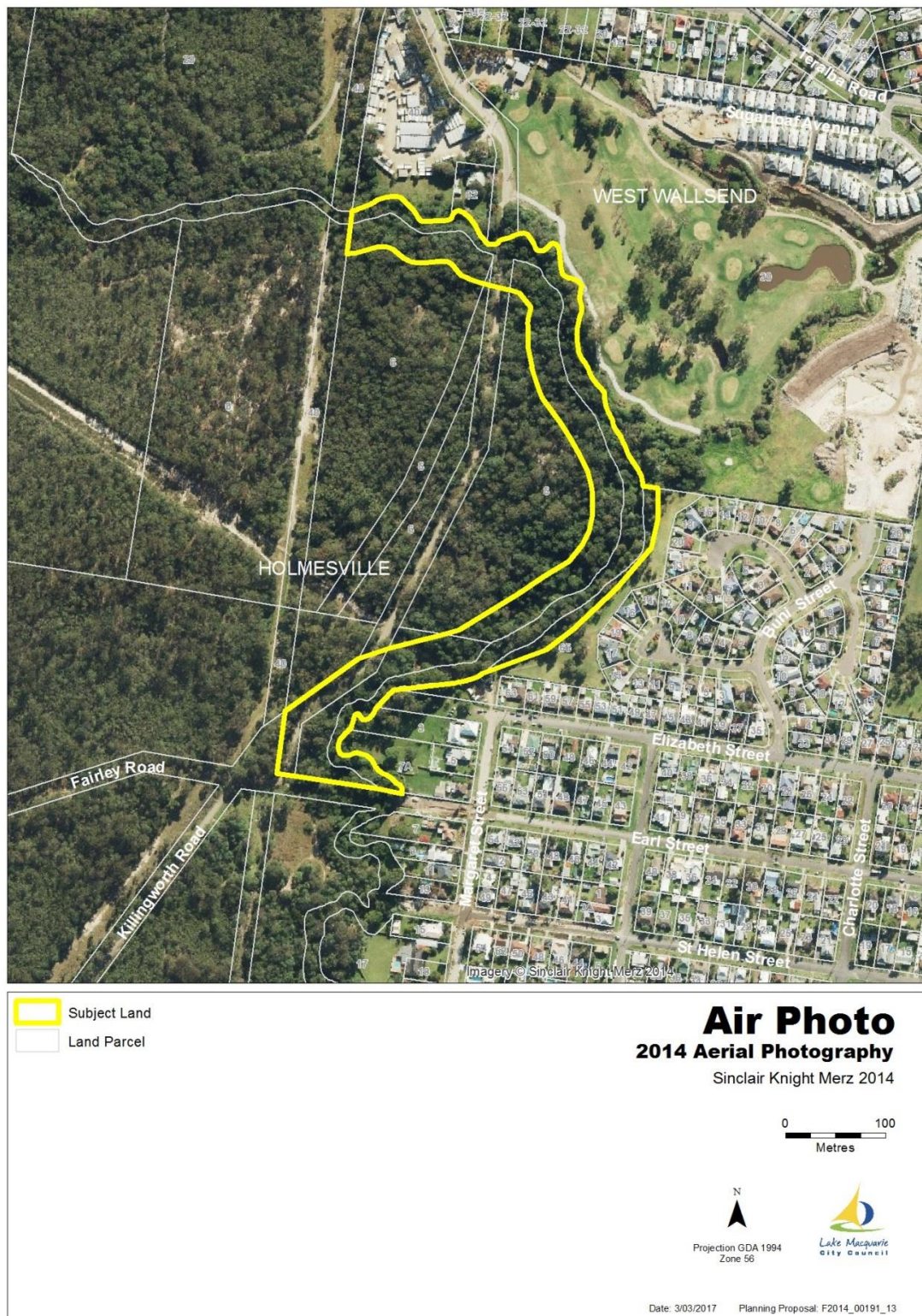


Figure 93: Aerial Photo – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

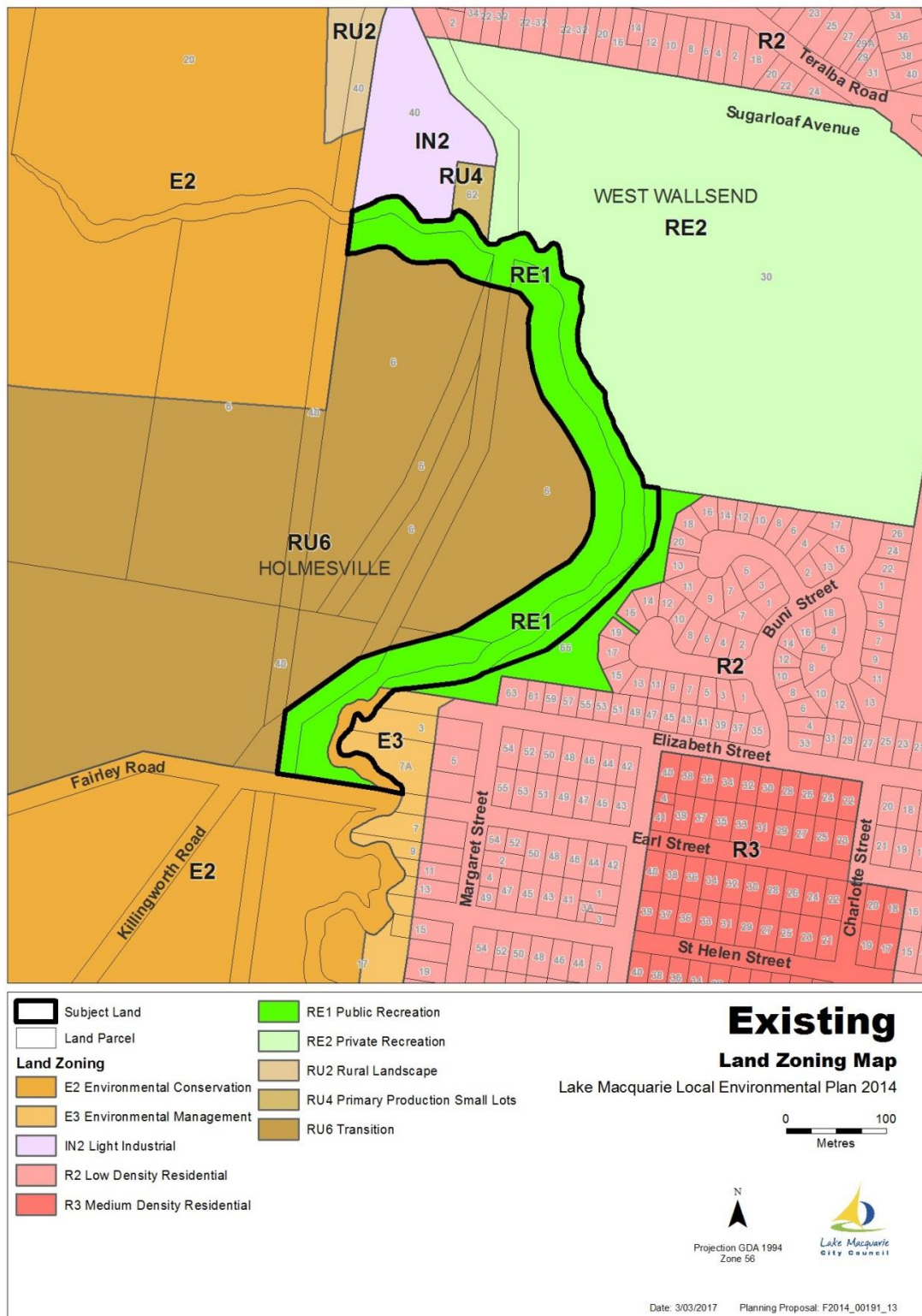


Figure 94: Existing Zoning – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

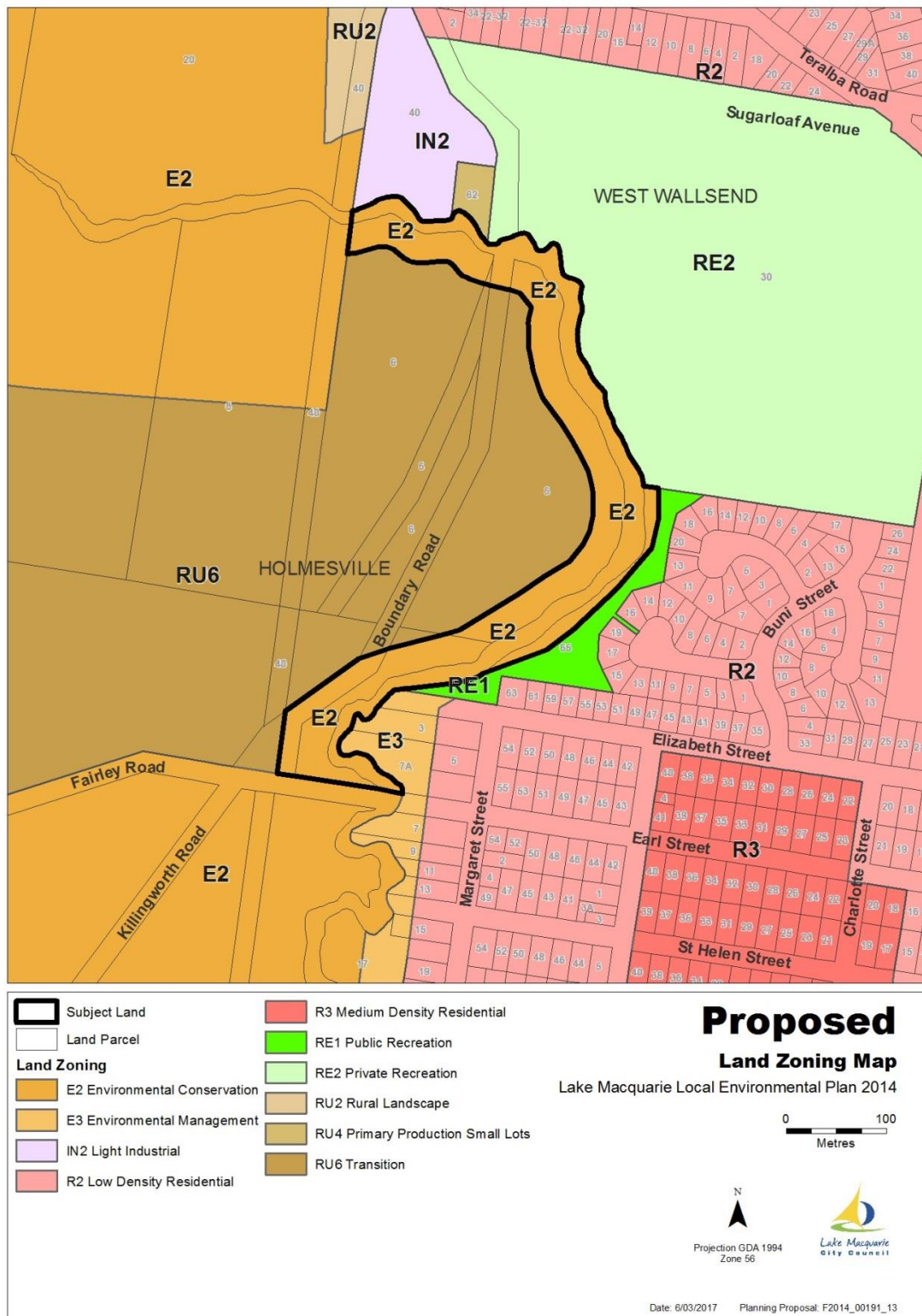


Figure 95: Proposed Zoning – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

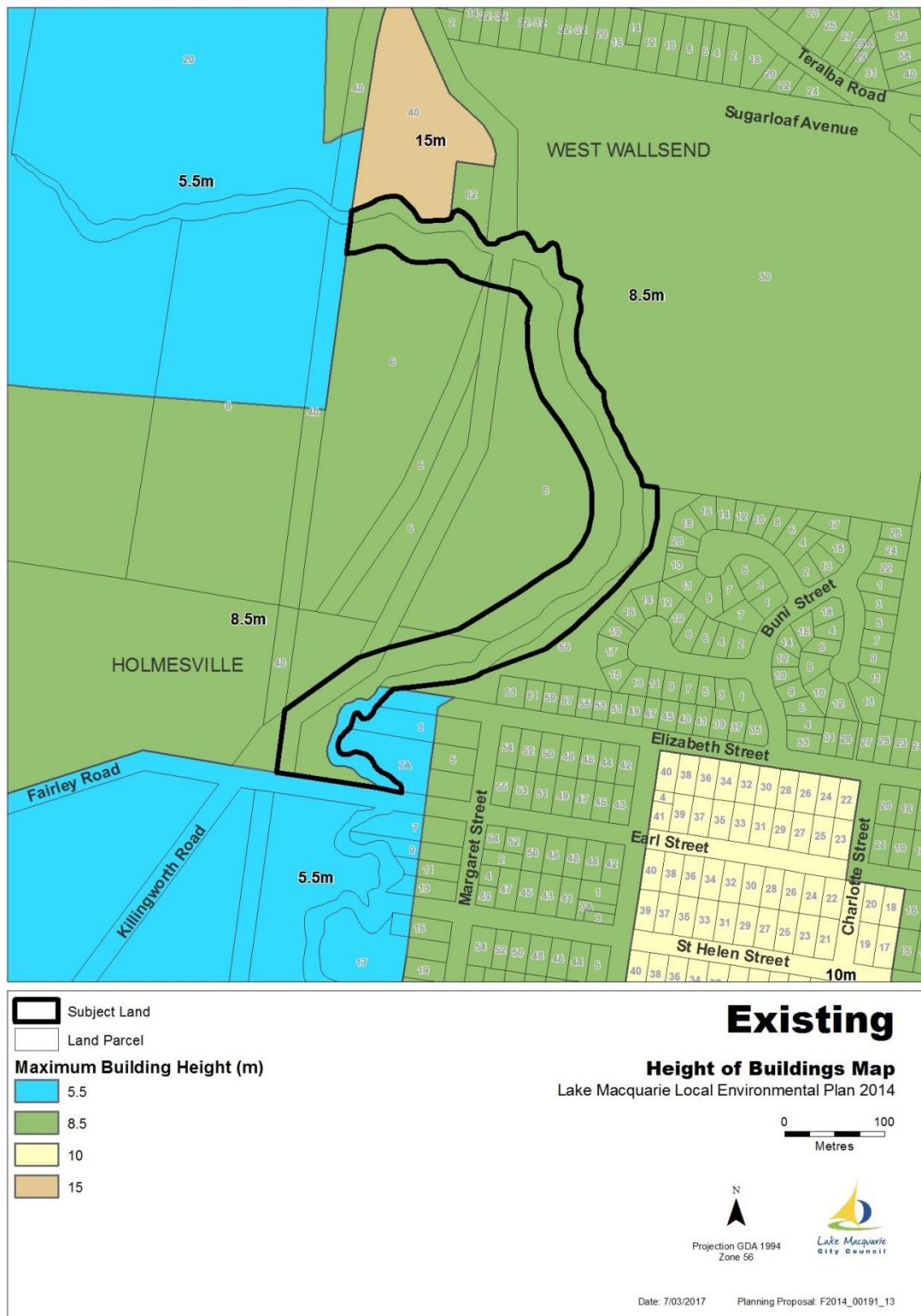


Figure 96: Existing Height of Building – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

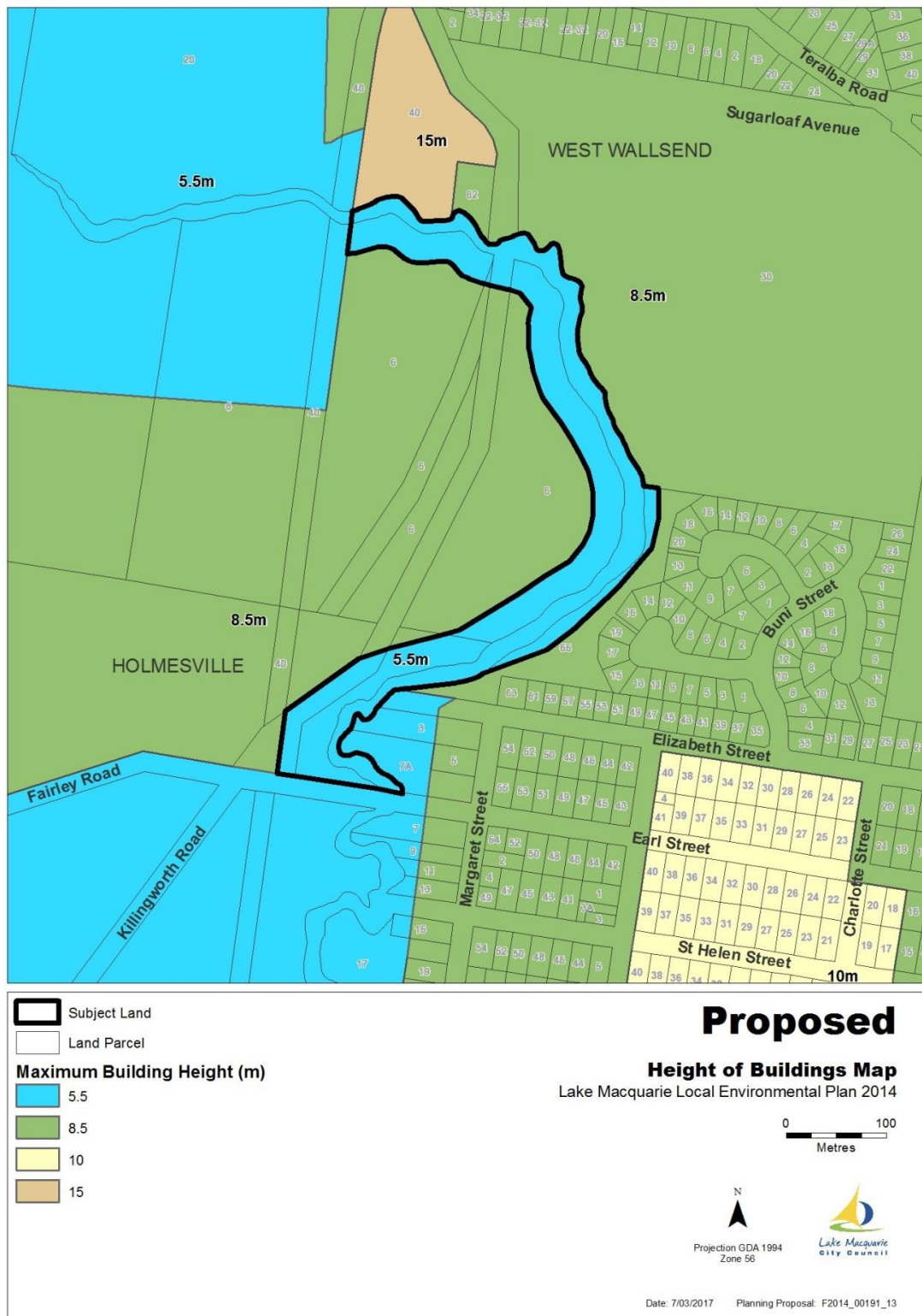


Figure 97: Proposed Height of Building – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

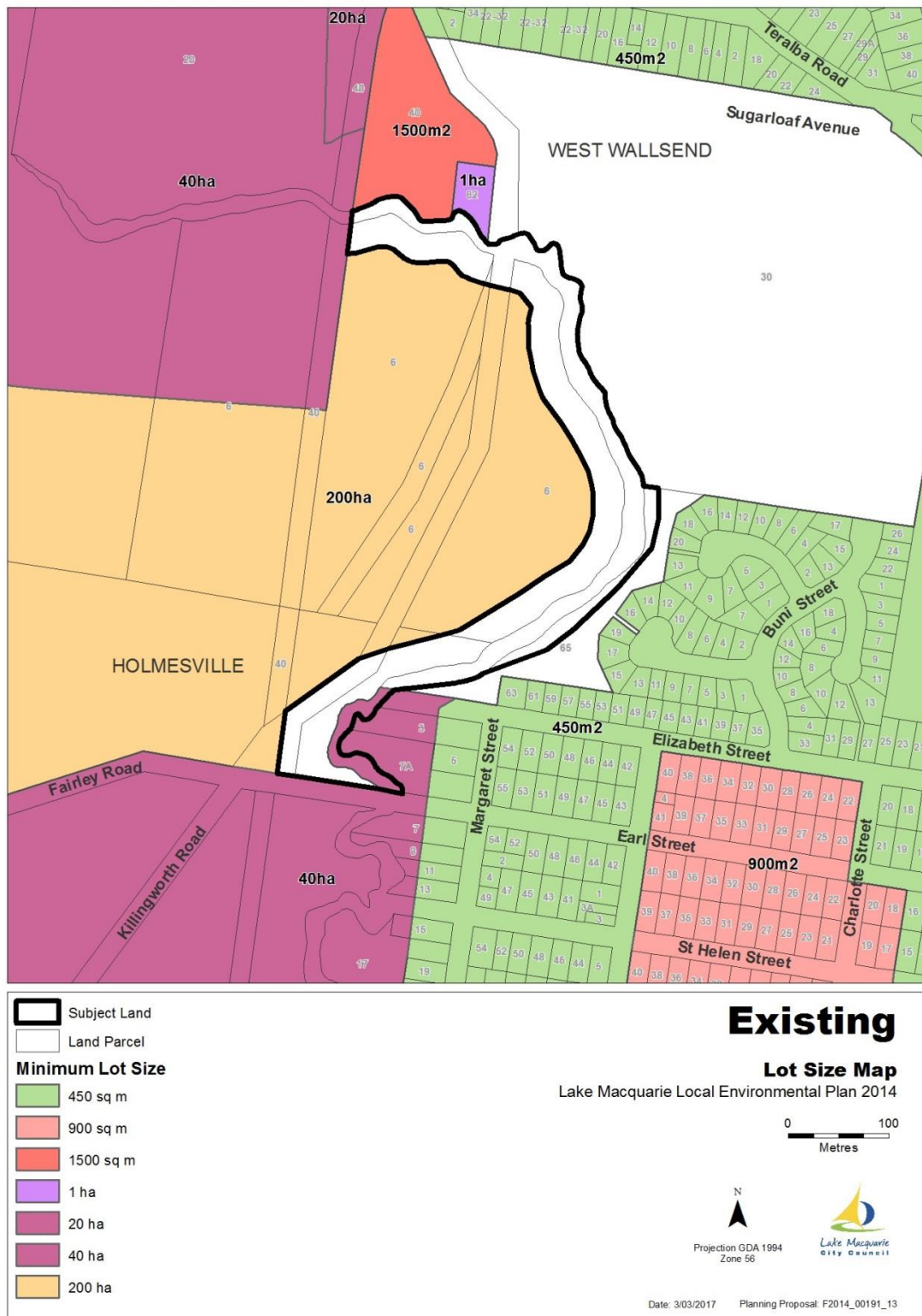


Figure 98: Existing Lot Size – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

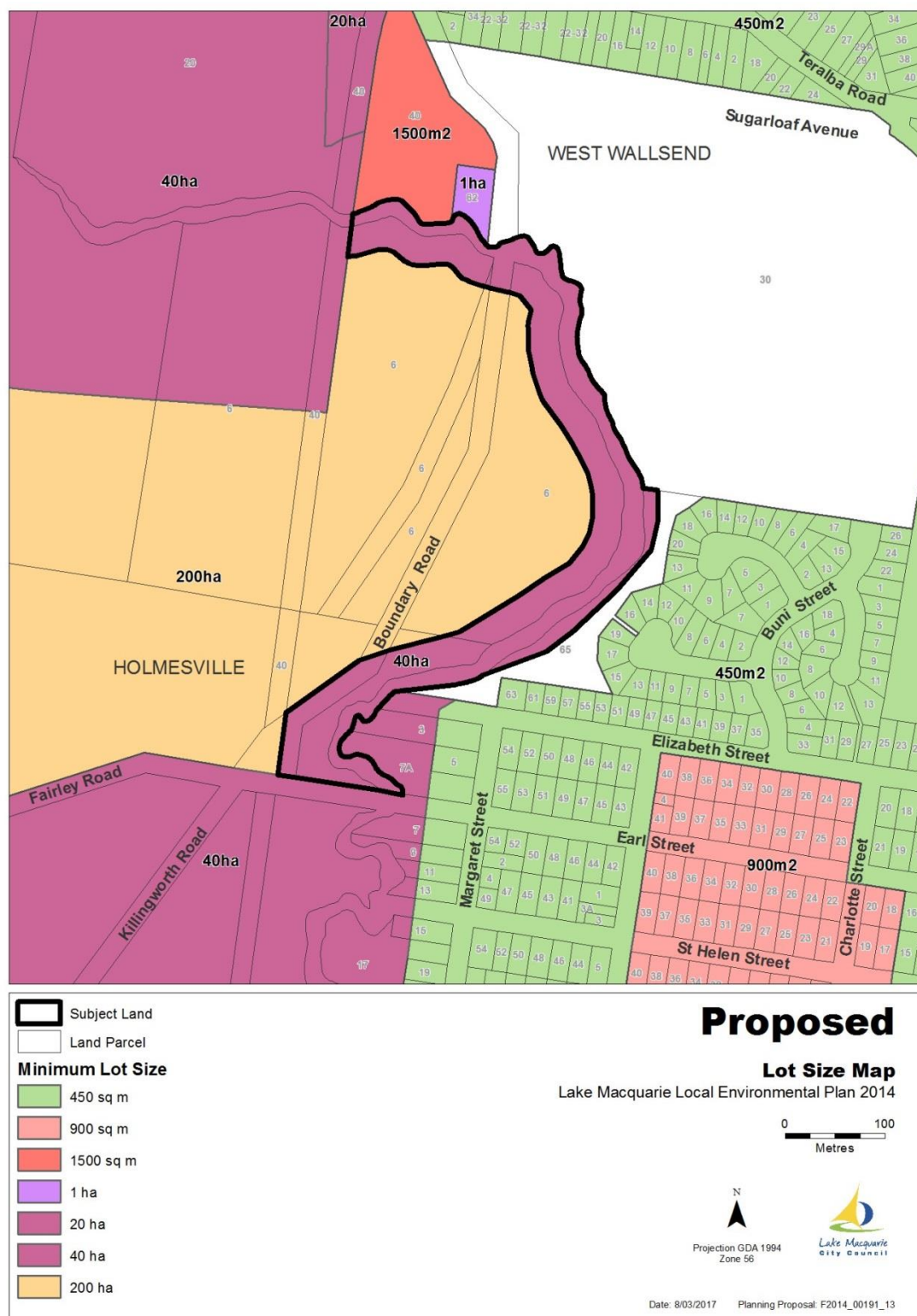


Figure 99: Proposed Lot Size – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

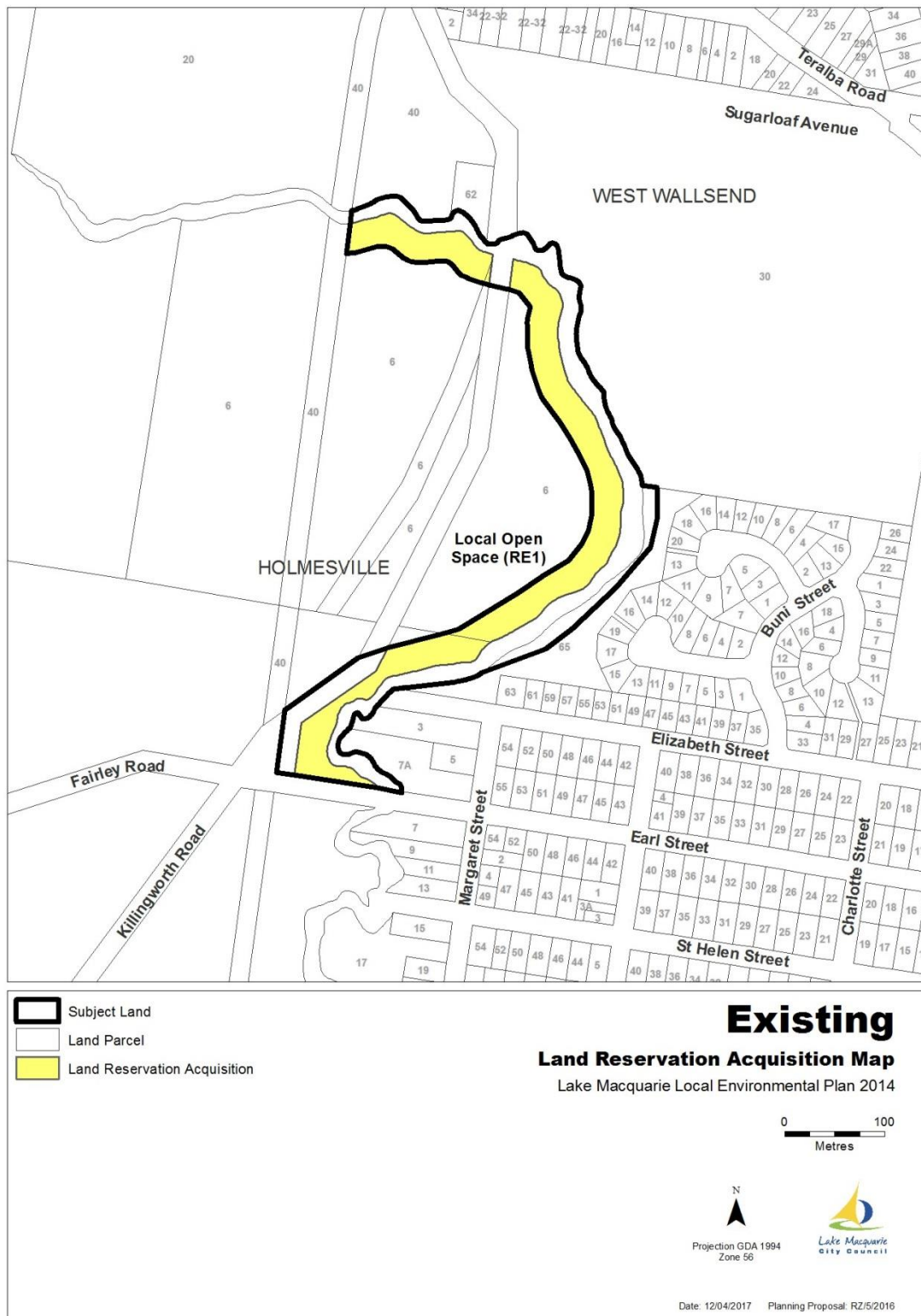


Figure 100: Existing Land Reservation Acquisition – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

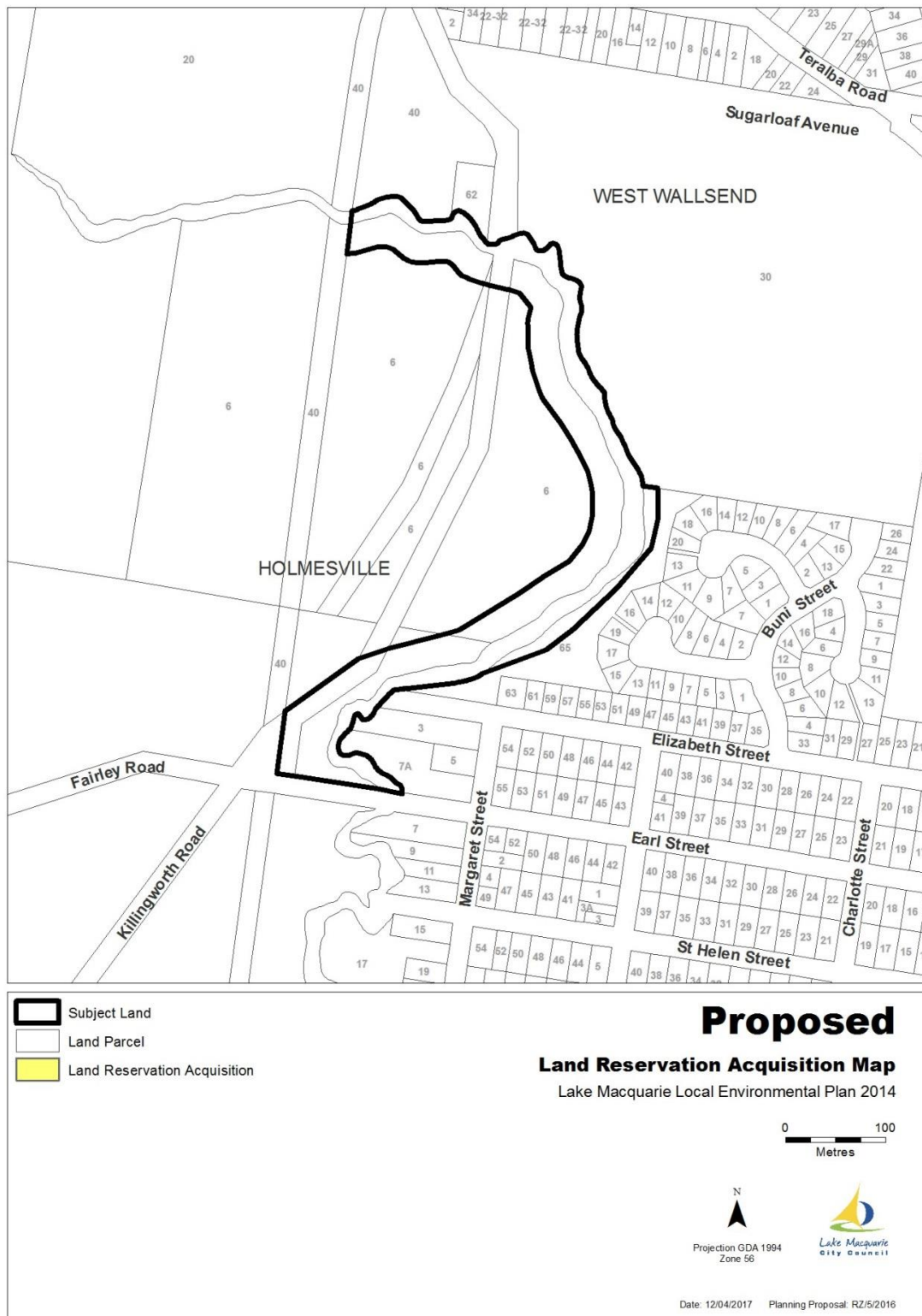


Figure 101: Existing Land Reservation Acquisition – Item 15 - Part 6 Killingworth Road, Holmesville – Slatey Creek

Item 16 – Tingira Heights Fire Station

16 – Tingira Heights Fire Station	
Address (the site)	Part 68 Violet Town Road, Tingira Heights (Part Lot 1 DP 1048060)
Owner:	Fire and Rescue NSW
Site area:	694m ²
Existing Uses:	Part of Tingira Heights Fire Station
Existing Zones:	E2 Environmental Conservation
Proposed Zone:	RE1 Private Recreation
Proposal:	Rezone from E2 Environmental Conservation to RE1 Public Recreation as used as part of Fire Station.
Background and Justification:	This site is part of Tingira Heights Fire Station. The majority of the Fire Station is zoned RE1 Public Recreation. This area should be zoned consistently to reflect that the site is part of the Fire Station.
Other Environmental Constraints:	Bushfire Prone. Rear of site - heritage archaeological site within LMLEP 2014. A10 – Tingira Heights nature reserve and being Permian fossil inset horizon. This archaeological site will not be affected by the proposed rezoning.
Consultation:	Fire and Rescue NSW advised they have no issues with the proposed rezoning to RE1 Public Recreation.



Figure 102: Aerial Photo - Item 16 - Tingira Heights Fire Station

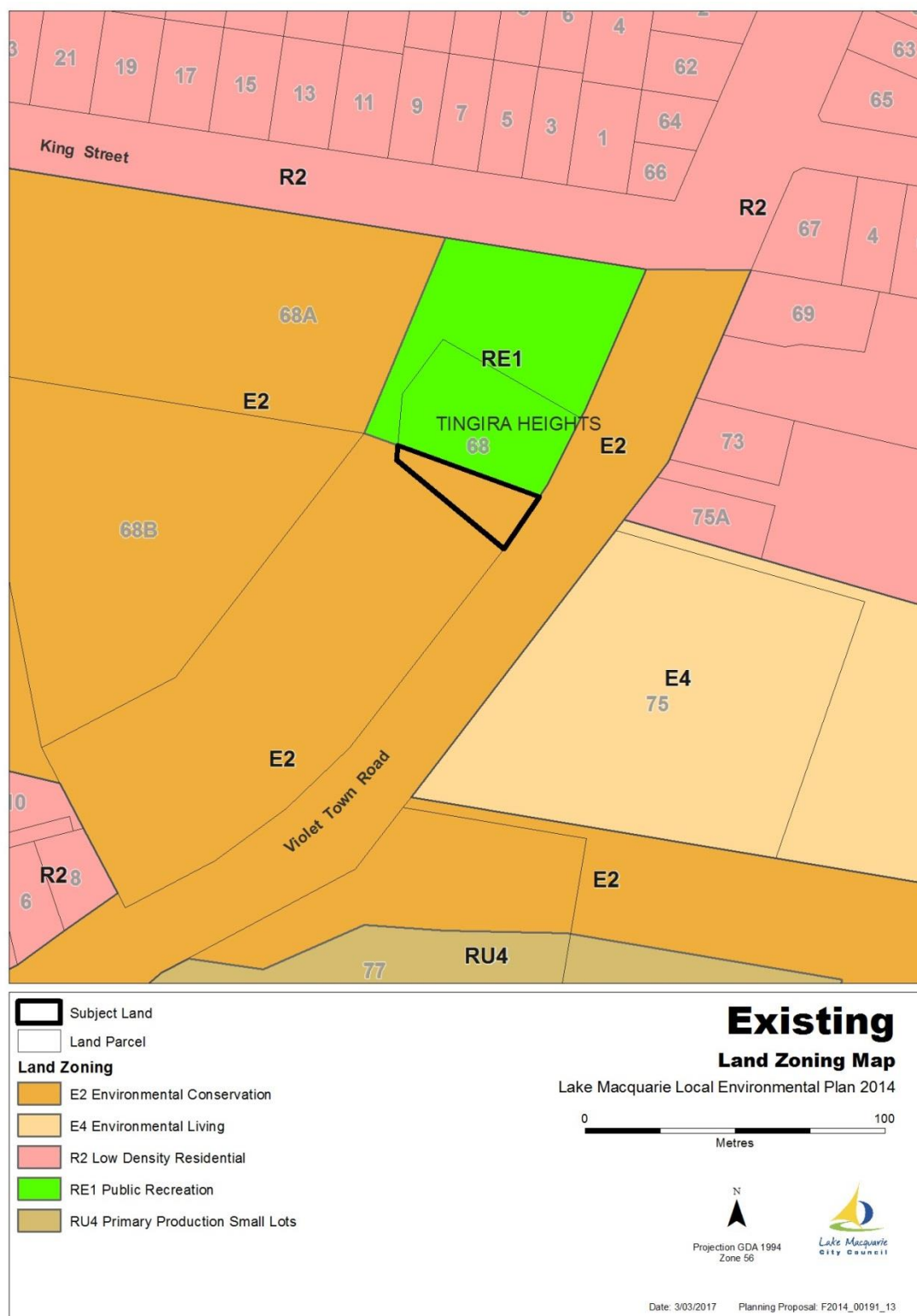


Figure 103: Existing Zoning - Item 16 - Tingira Heights Fire Station

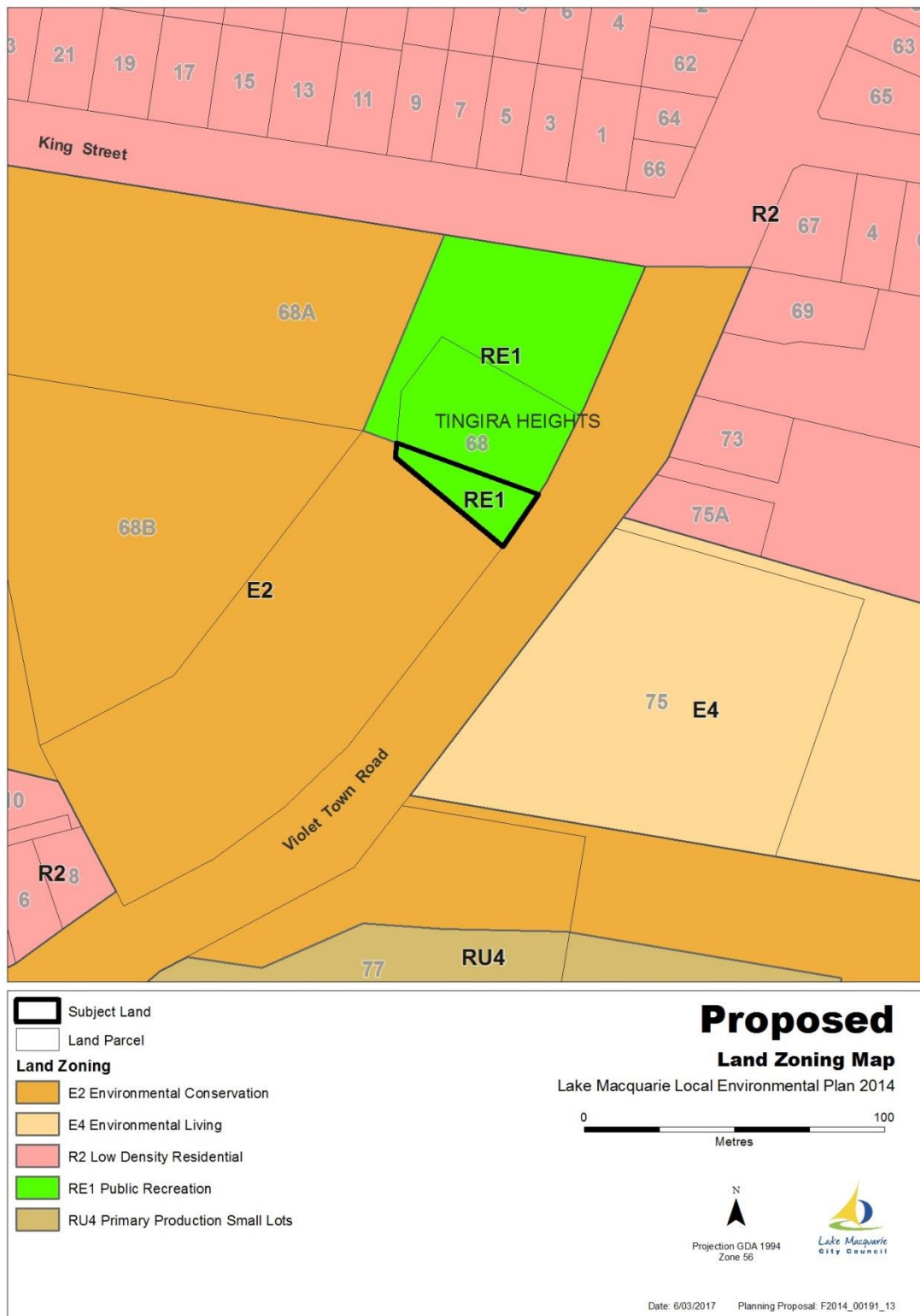


Figure 104: Proposed Zoning - Item 16 - Tingira Heights Fire Station

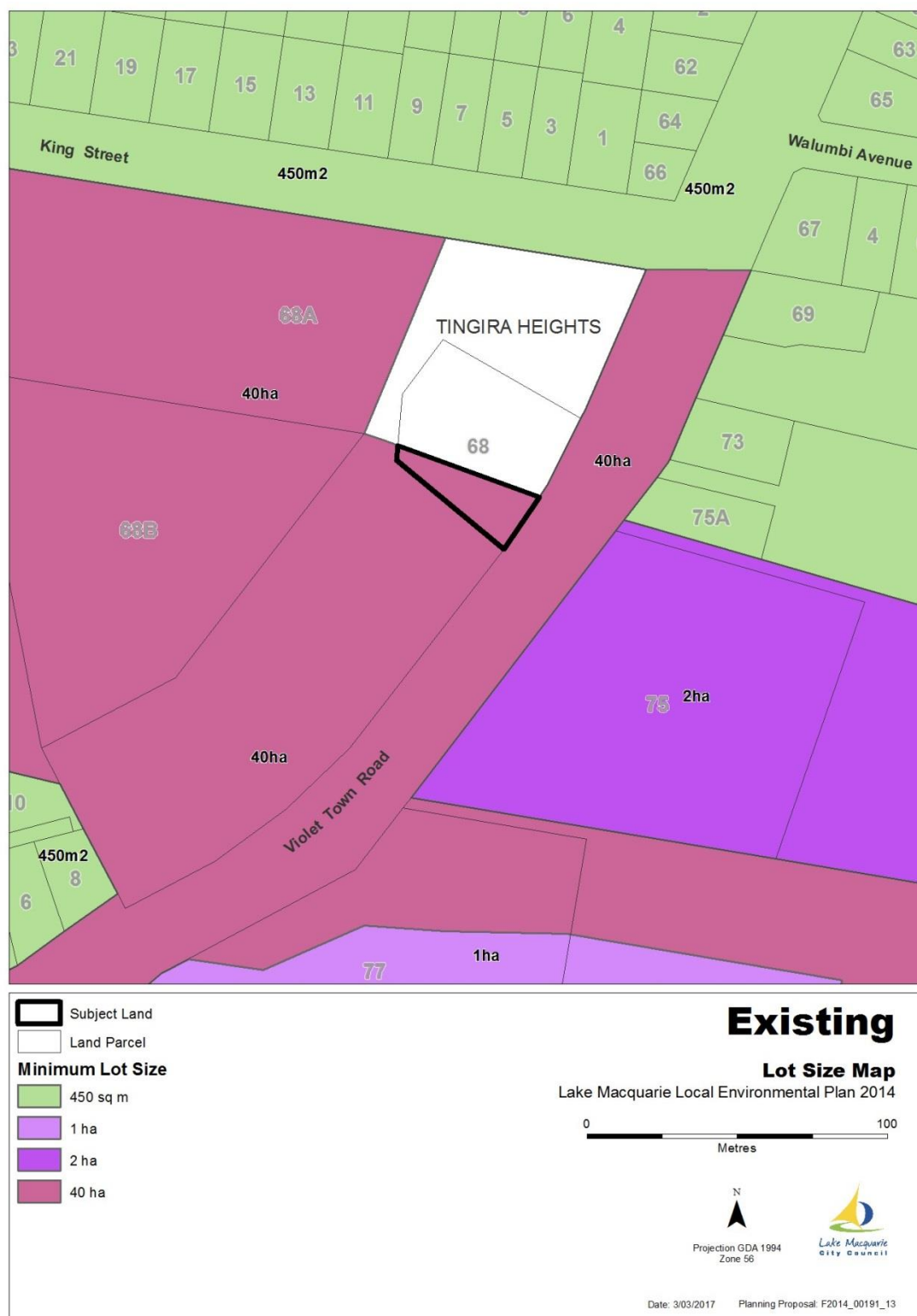


Figure 105: Existing Lot Size - Item 16 - Tingira Heights Fire Station

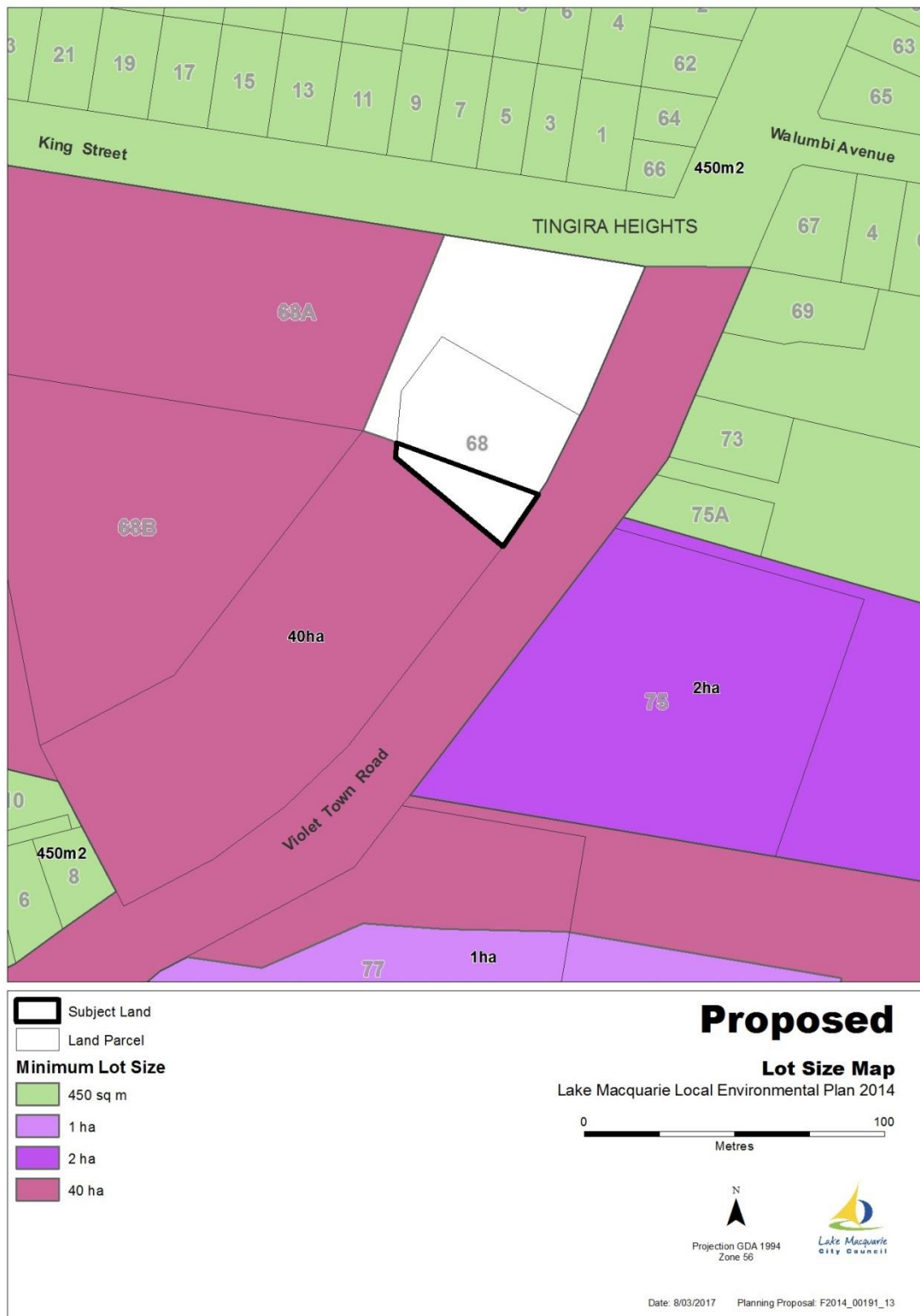


Figure 106: Proposed Lot Size Map - Item 16 - Tingira Heights Fire Station

Item 17 – 82 Point Piper Road, Eraring

17 - 82 Point Piper Road, Eraring	
Address (the site)	Part 82 Point Piper Road, Eraring (Part Lot 13, 14, 15, 16 Sec O DP 6747)
Owner:	Origin Energy
Site area:	28167m ²
Existing Uses:	Vegetated area
Existing Zones:	E4 Environmental Living
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from E4 Environmental Living to E2 Environmental Conservation.
Background and Justification:	The majority of the site contains Swamp Sclerophyll Forest on Coastal Floodplains EEC. This will give greater protection to the EEC and protect the corridor.
Environmental Constraints:	Acid sulphate soils, bushfire prone
Consultation:	No response was received from Origin Energy. Further consultation will occur following the Gateway determination.

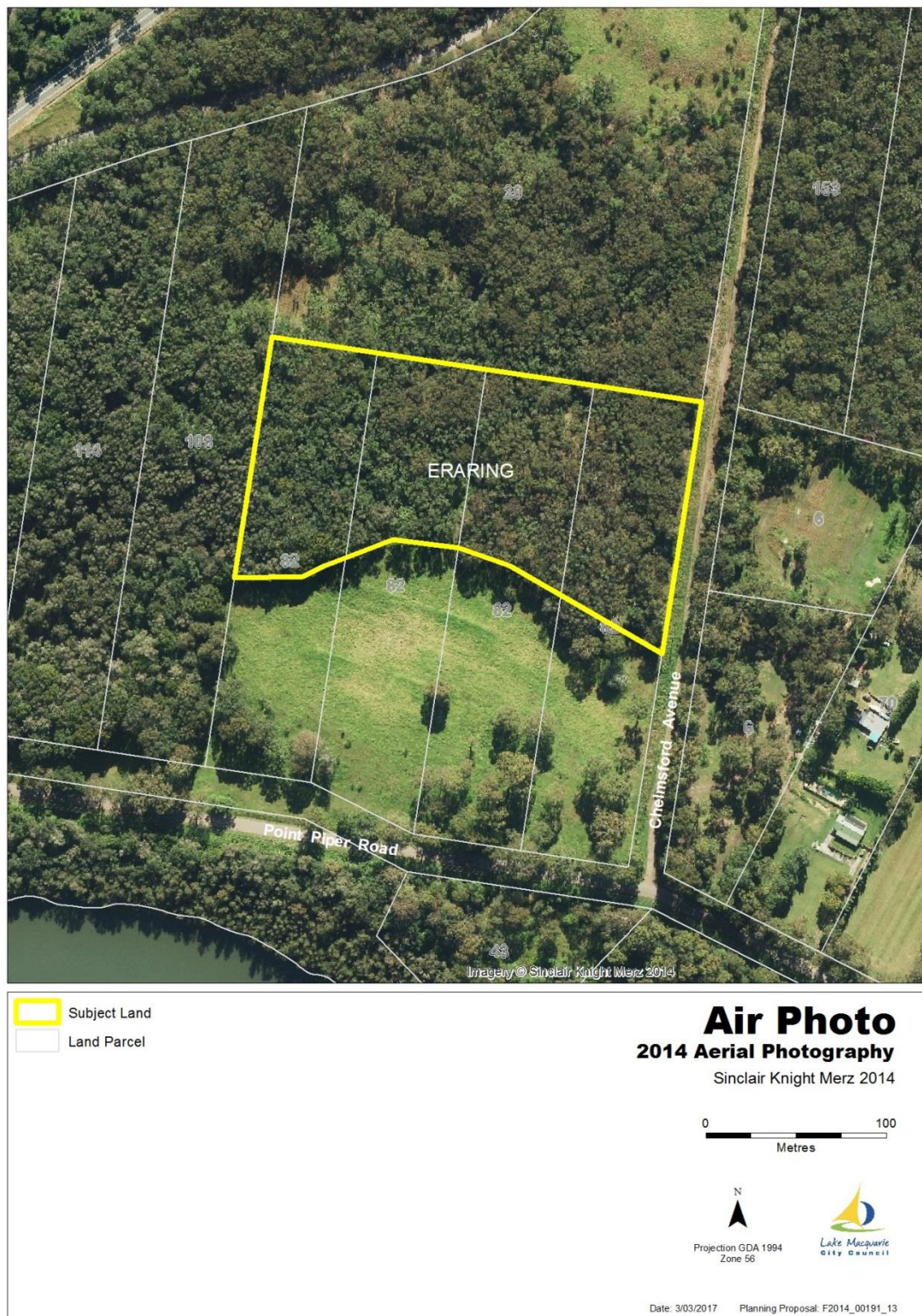


Figure 107: Aerial Photo - Item 17 - 82 Point Piper Road, Eraring

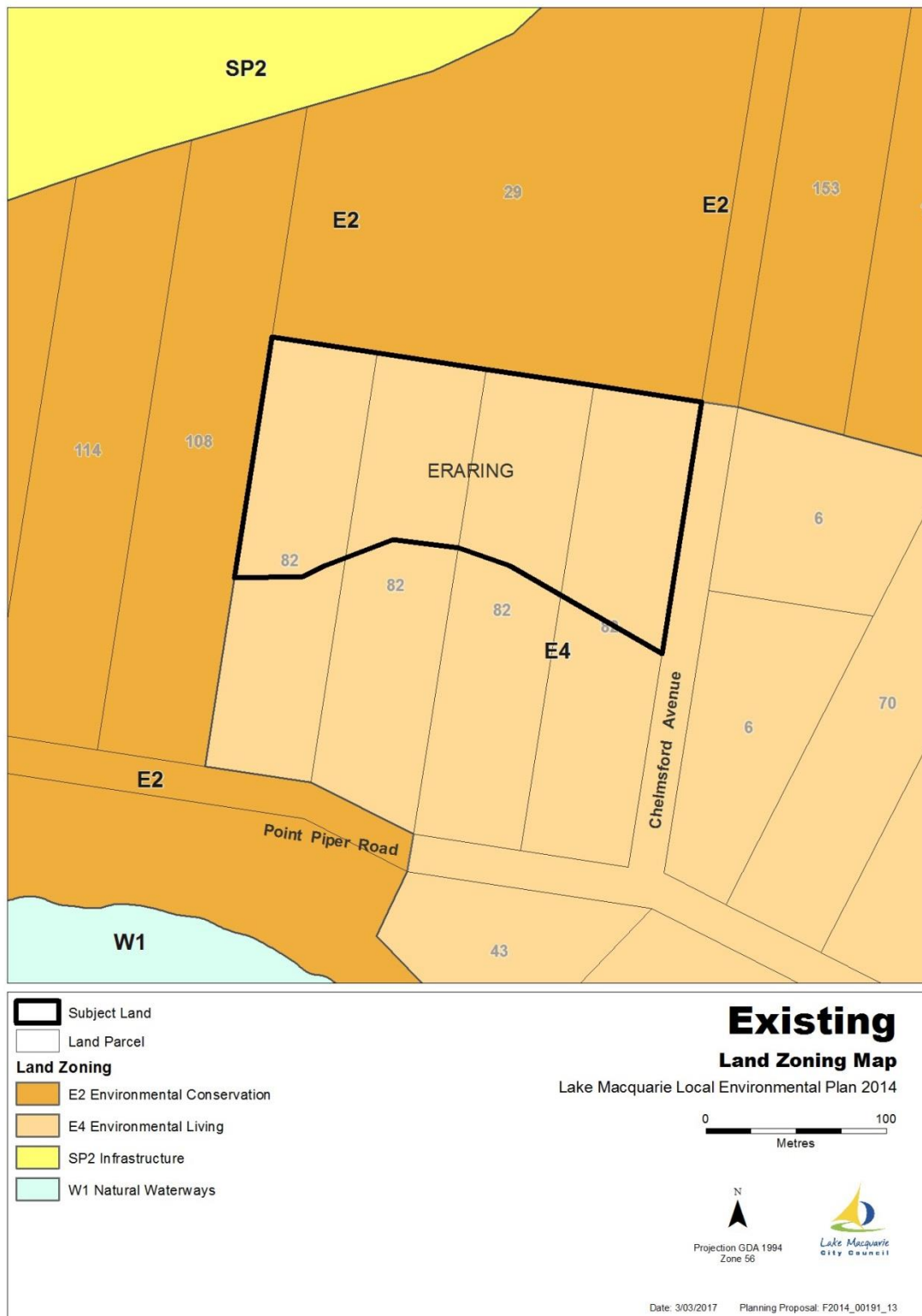


Figure 108: Existing Zoning - Item 17 - 82 Point Piper Road, Eraring

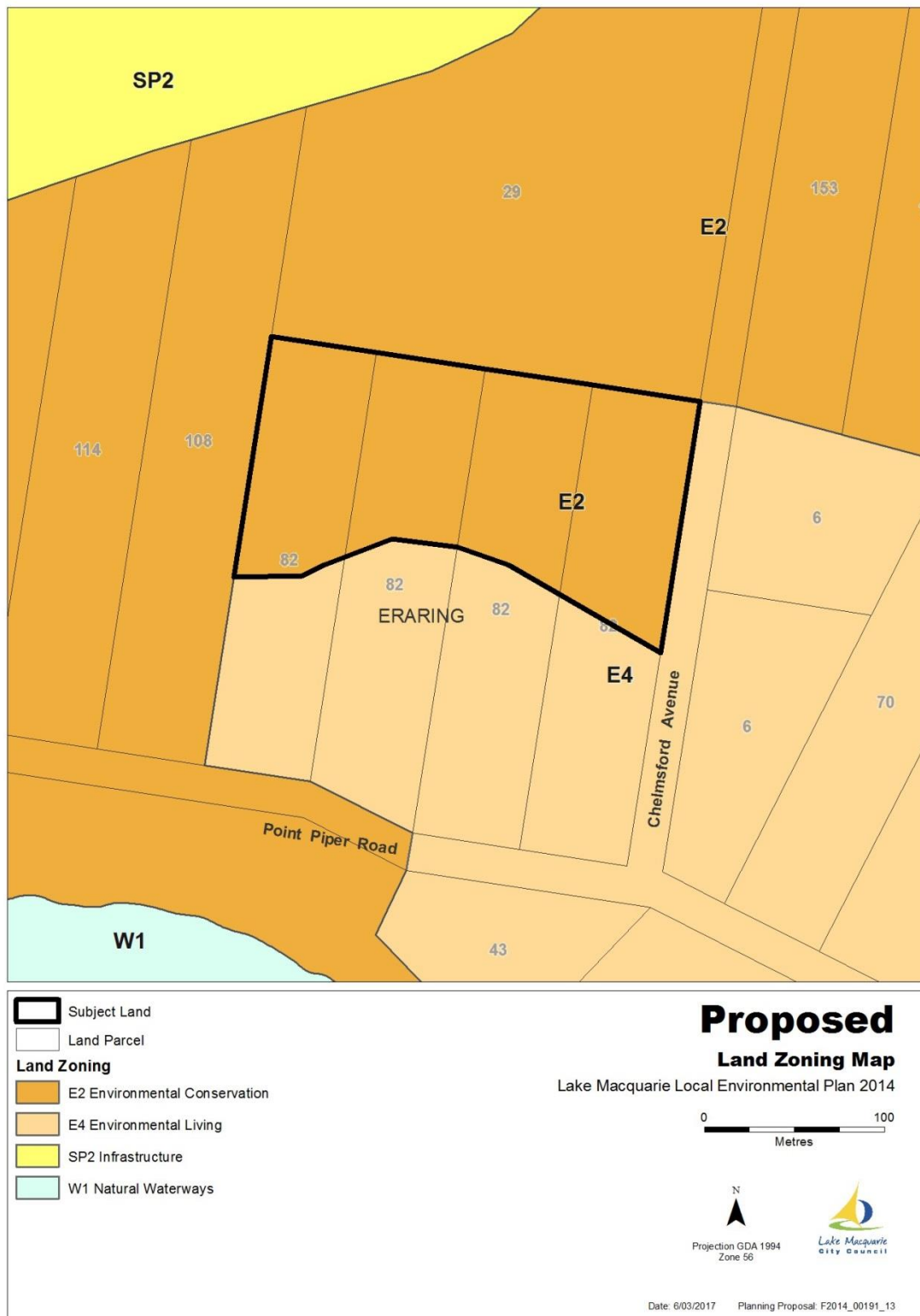


Figure 109: Proposed Zoning - Item 17 - 82 Point Piper Road, Eraring

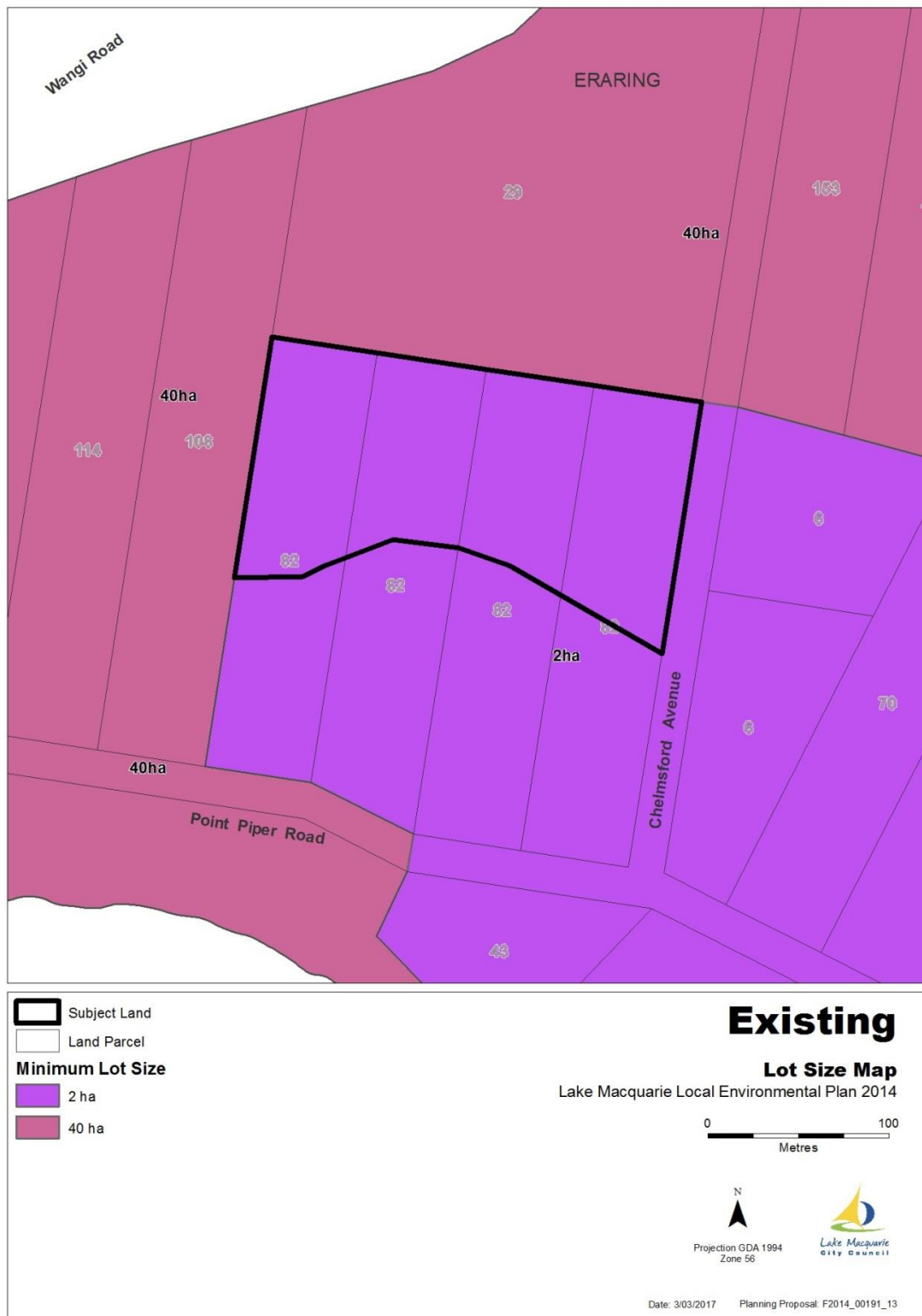


Figure 110: Existing Lot Size - Item 17 - 82 Point Piper Road, Eraring

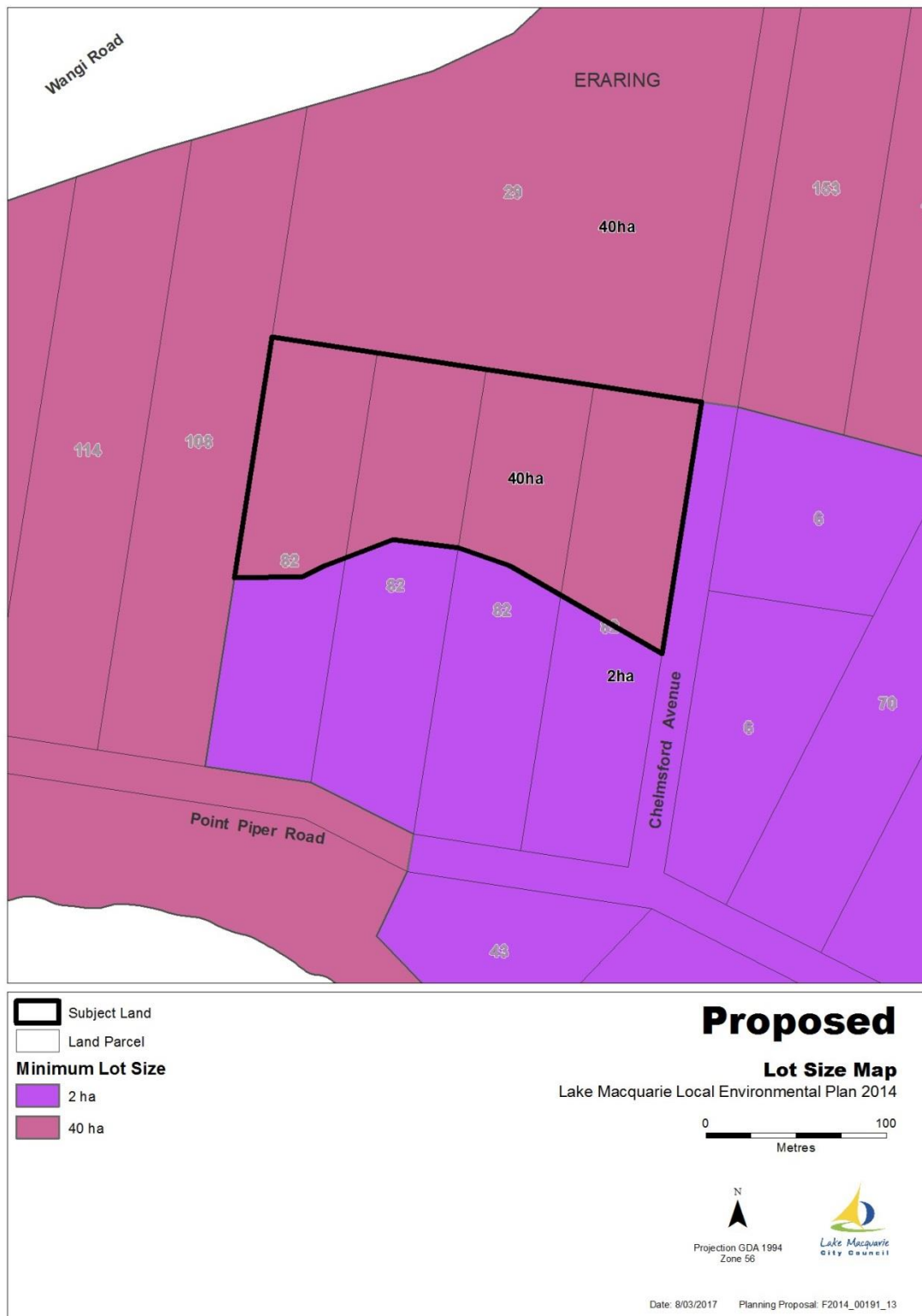


Figure 111: Proposed Lot Size - Item 17 - 82 point Piper Road, Eraring

Item 18 – 9 Eagles Nest Close, Belmont North

18 – 9 Eagles Nest Close, Belmont North	
Address (the site)	Part 9 Eagles Nest Close, Belmont North (Lot 72 DP 786238)
Owner:	Mr J Cain and Mrs R A Cain
Site area:	1518m ²
Existing Uses:	Garage structure associated with dwelling
Existing Zones:	E2 Environmental Conservation
Proposed Zone:	E4 Environmental Living
Proposal:	Rezone part of property that contains the garage structure from E2 Environmental Conservation to E4 Environmental Living, which was approved under DA/2003/1090.
Background and Justification:	The proposed E4 Environmental Living zoning is consistent with zoning of dwelling. The remaining vegetated area of property will remain in E2 Environmental Conservation zone.
Other Environmental Constraints	Bushfire Prone, Geotechnical zone restrictions



Figure 112: Aerial Photo - Item 18 - 9 Eagles Nest Close, Belmont North

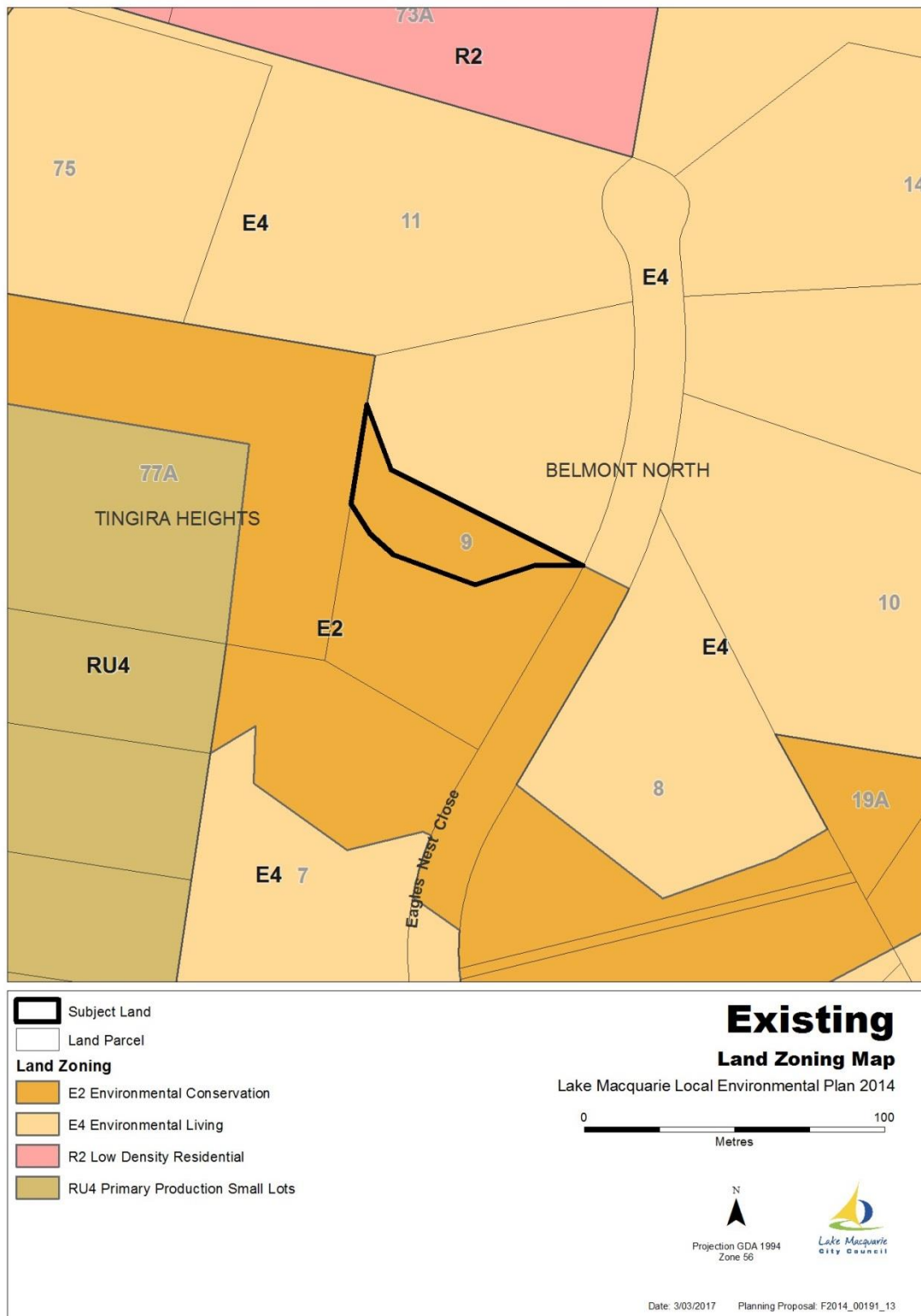


Figure 113: Existing Zoning - Item 18 - 9 Eagles Nest Close, Belmont North

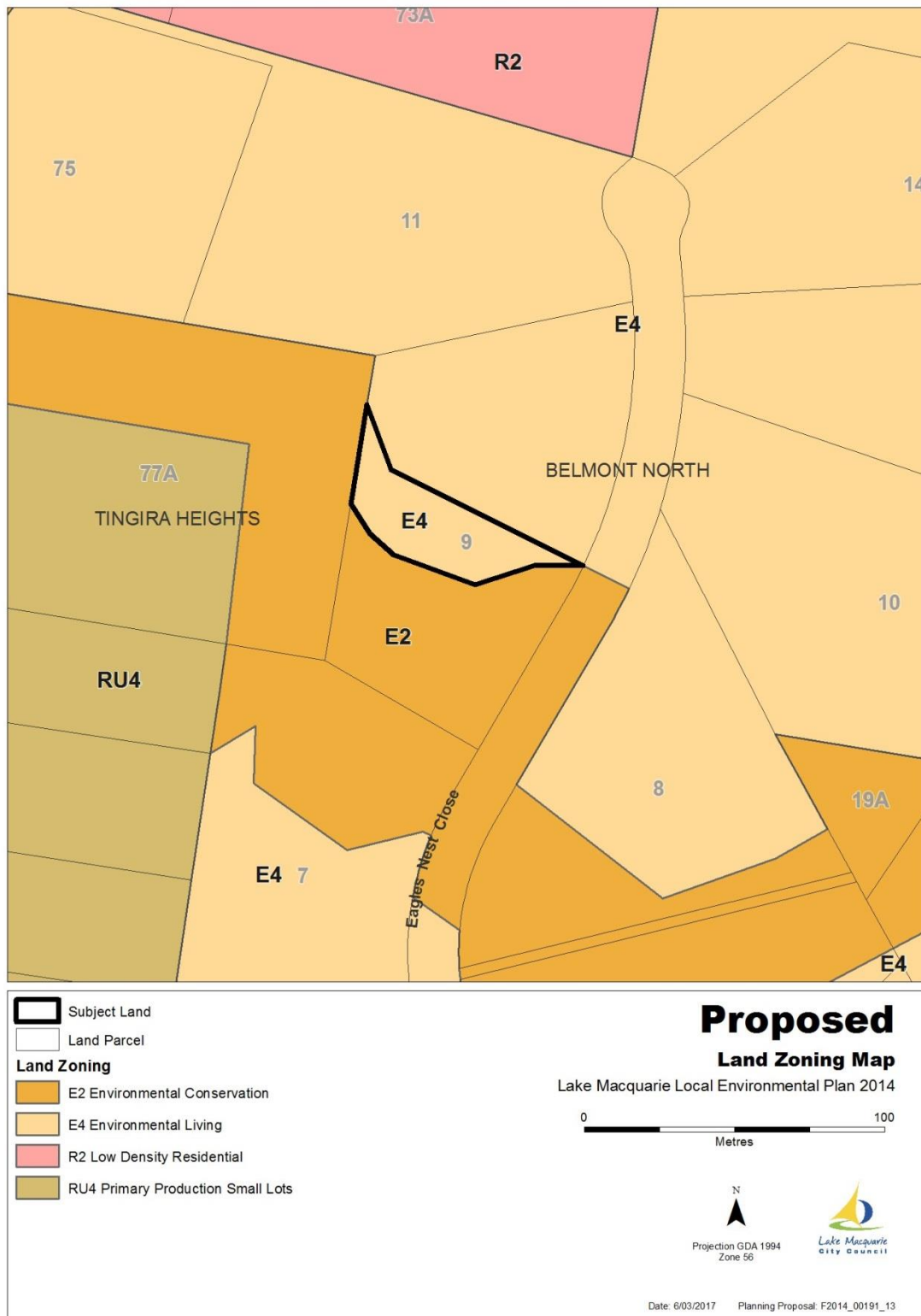


Figure 114: Proposed Zoning - Item 18 - 9 Eagles Nest Close, Belmont North

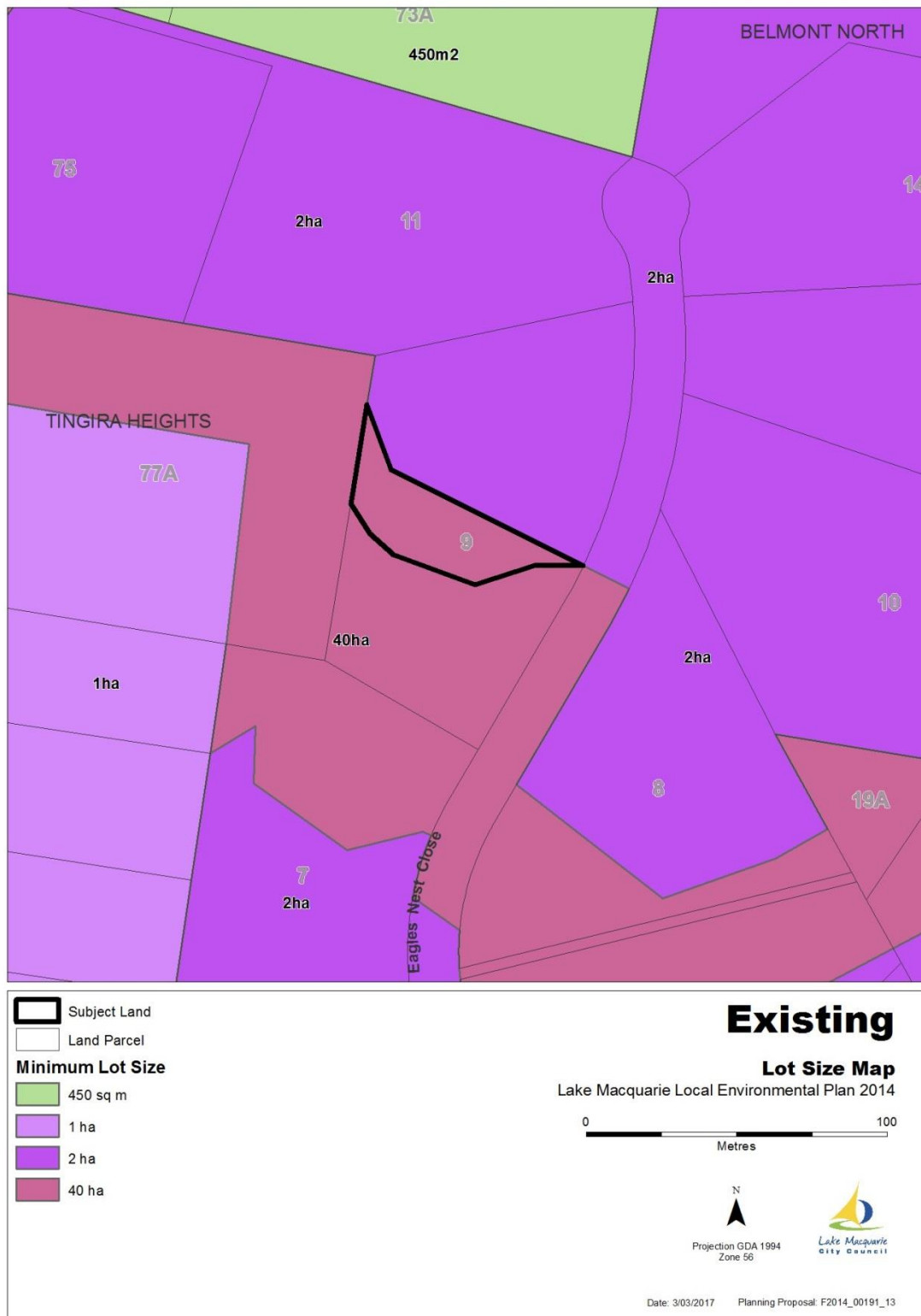


Figure 115: Existing Lot Size - Item 18 - 9 Eagles Nest Close, Belmont North

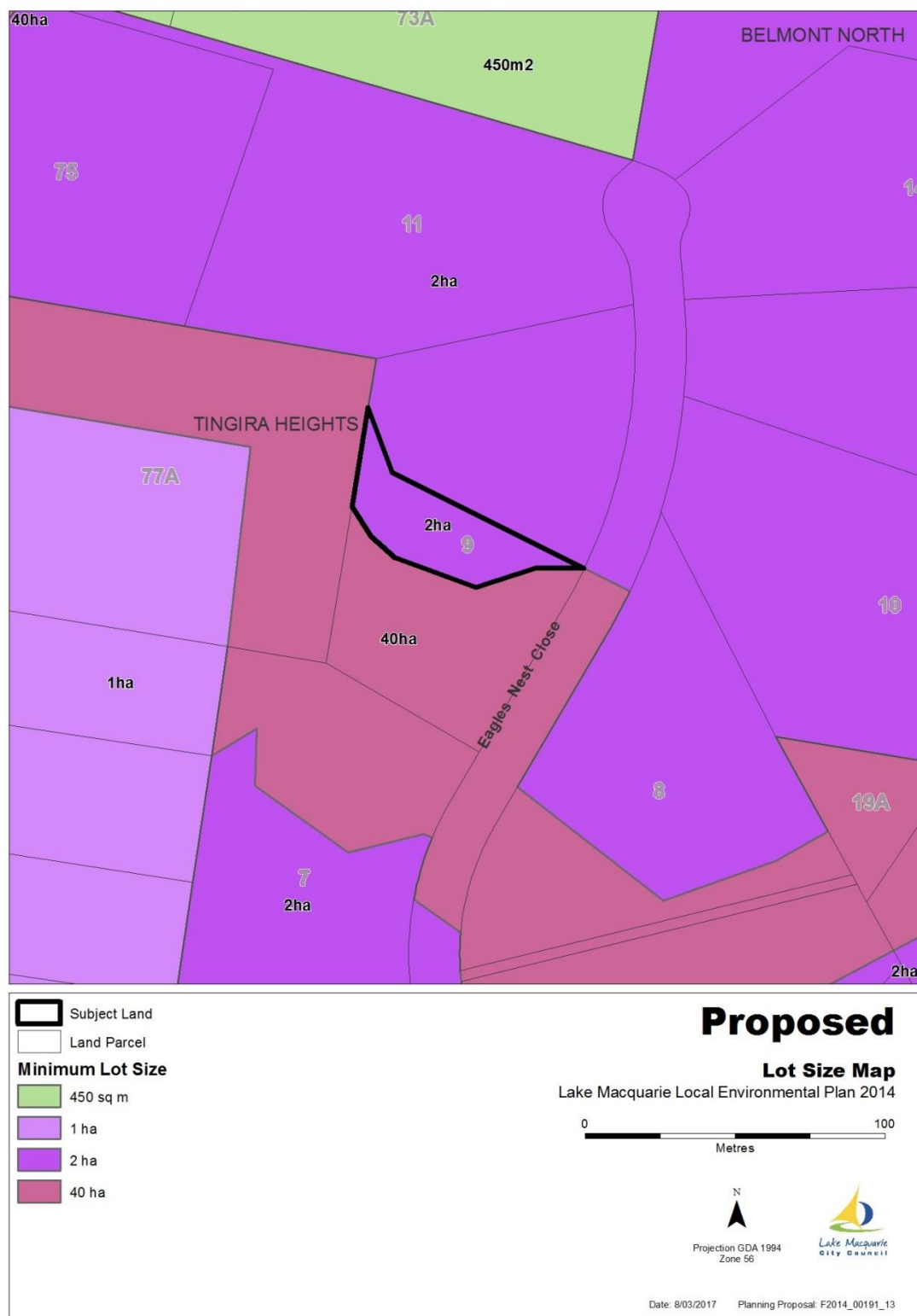


Figure 116: Proposed Lot Size - Item 18 - 9 Eagles Nest Close, Belmont North

Item 19 – West Wallsend Offset Sites

19 – Offset Site – West Wallsend and Cameron Park	
Address (the site)	Part 15 Robertson Road, West Wallsend (Part Lot 6 DP 1180029), Part 254 George Booth Drive, Cameron Park (Part Lot 4 DP 1180029) – Offset Site
Owner:	Hammersmith Management (Roche Group)
Site area:	32.7ha
Existing Uses:	Offset land for DA/113/2011 – West Wallsend development application
Existing Zones:	RE1 Public Recreation and R2 Low Density Residential
Proposed Zone:	E2 Environmental Conservation
Proposal:	Rezone from RE1 Public Recreation and R2 Low Density Residential to E2 Environmental Conservation and remove part of this site from the Land Reservation Acquisition Map.
Background and Justification:	This land is a biodiversity offset site for the West Wallsend development application – Appletree Grove Estate (DA/113/2011). E2 Environmental Conservation is the most appropriate zone for biodiversity offset sites. Site is also known to contain the Aboriginal heritage item - West Wallsend Butterfly caves. Part of the offset site contains the EEC – Lower Hunter Spotted Gum - Ironbark Forest and site contains <i>Tetratheca juncea</i> and other threatened species.
Other Environmental Constraints	Bushfire prone land



Figure 117: Aerial Photo - Item 19 - West Wallsend Offset Land

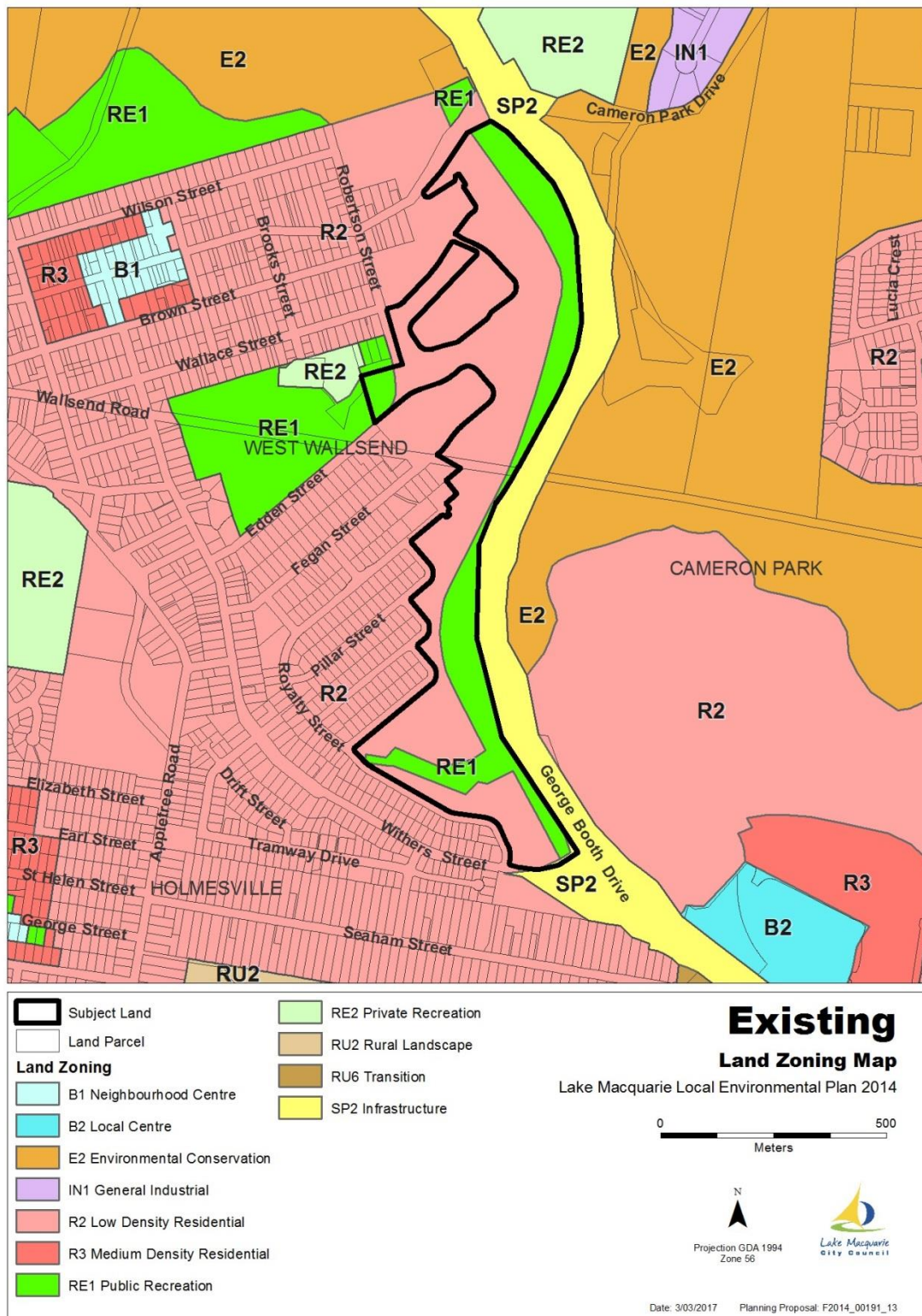


Figure 118: Existing Zoning - Item 19 - West Wallsend Offset Land

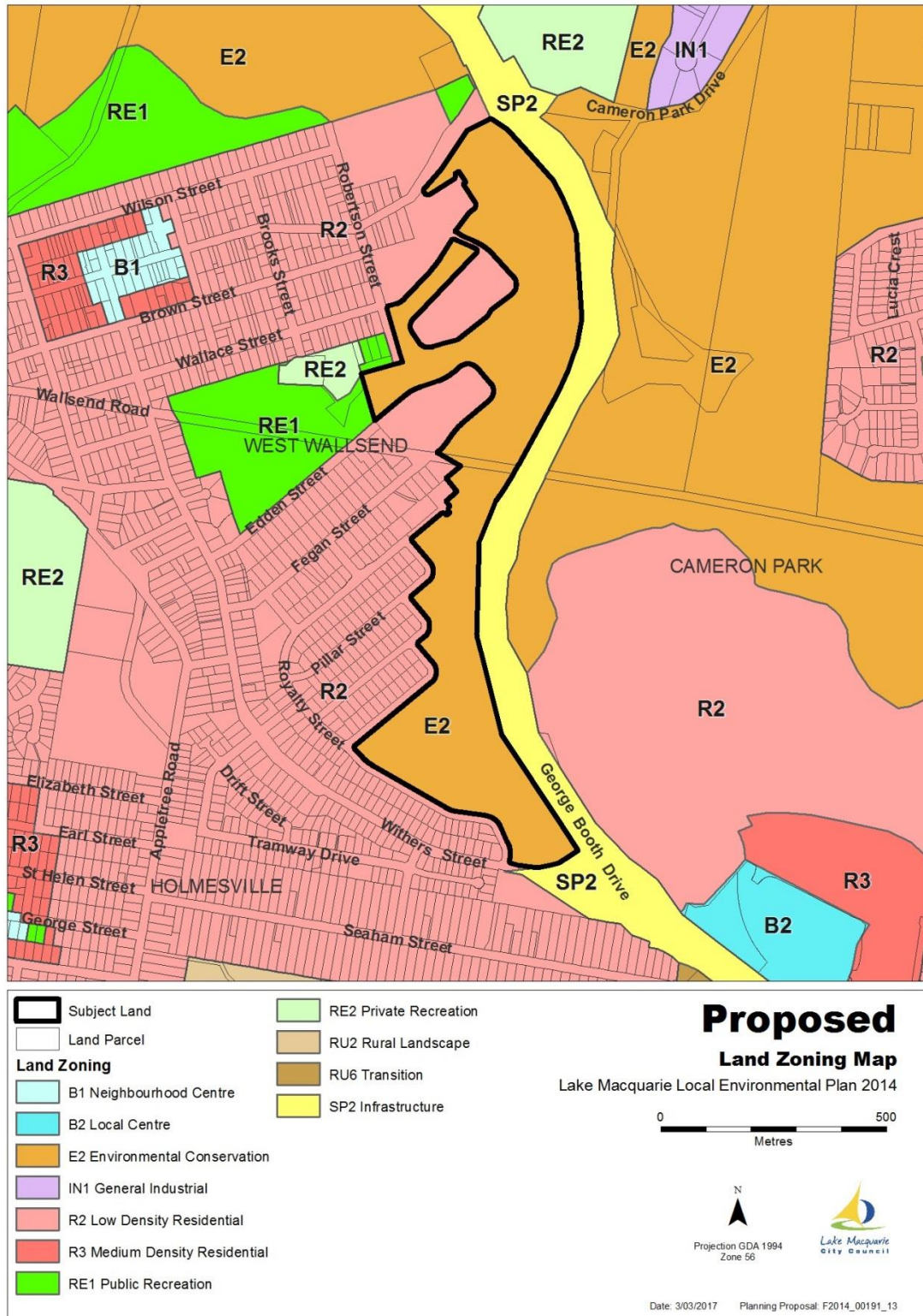


Figure 119: Proposed Zoning - Item 19 - West Wallsend Offset Land

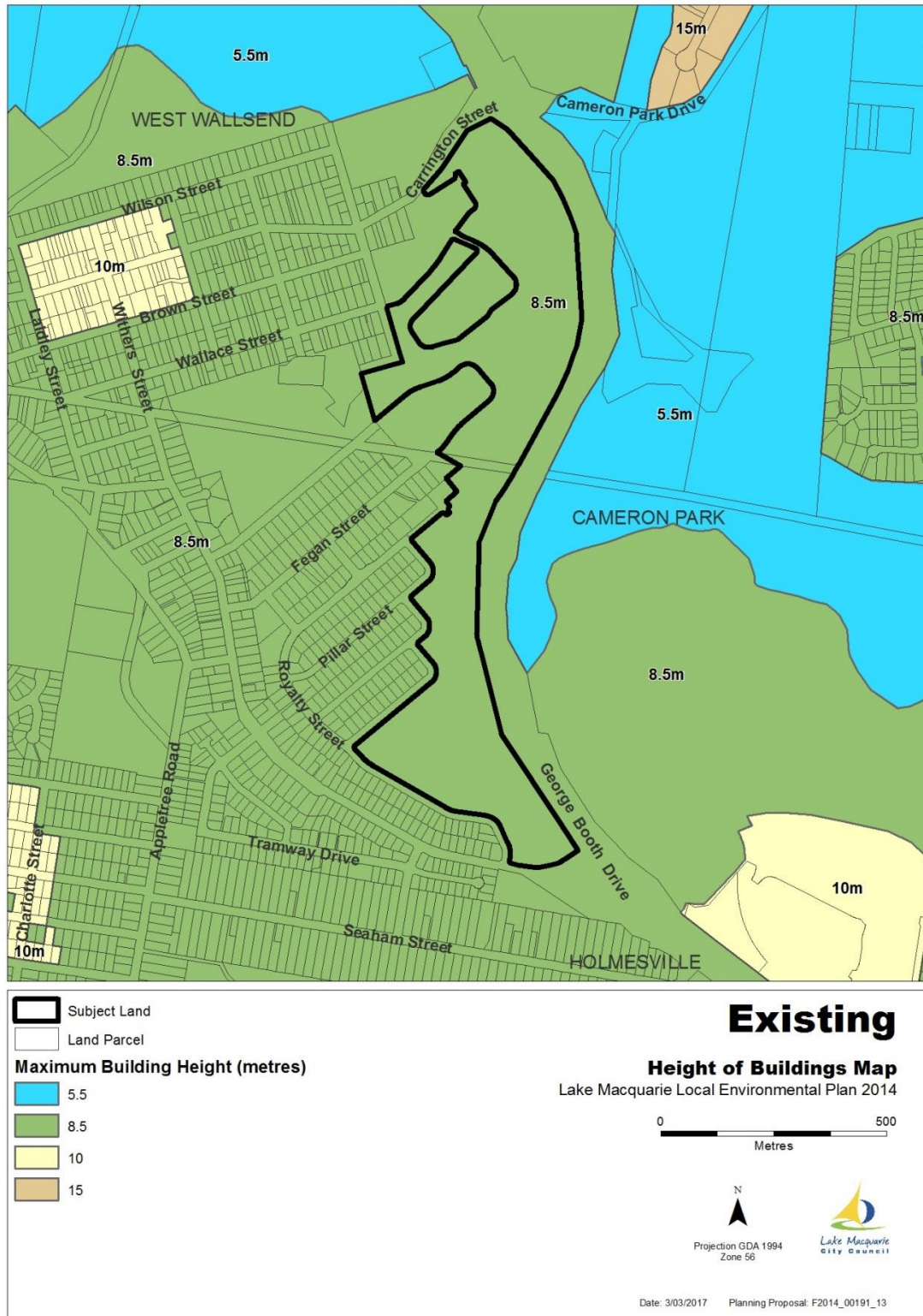


Figure 120: Existing Height of Building - Item 19 - West Wallsend Offset Land

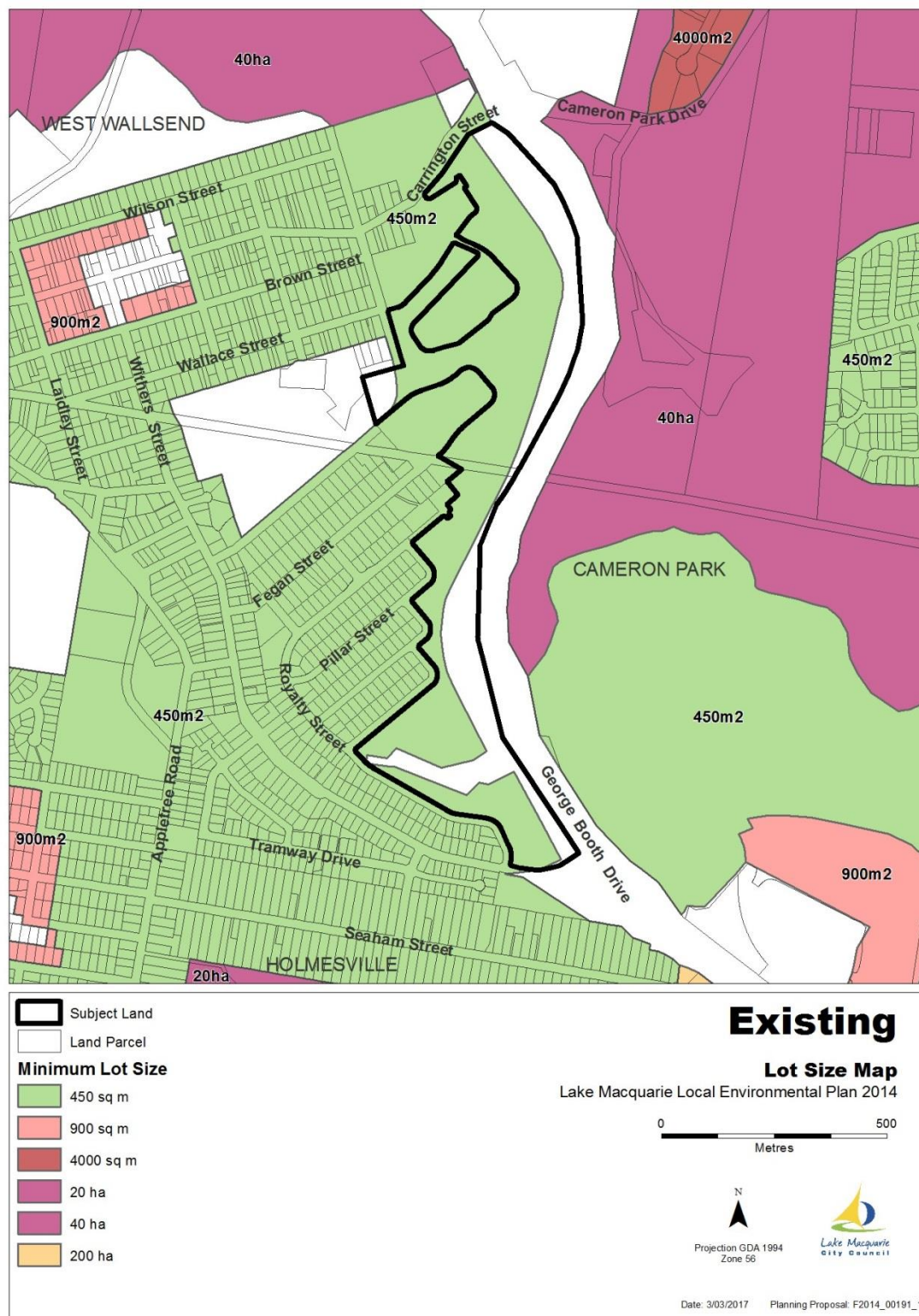


Figure 121: Existing Lot Size - Item 19 - West Wallsend Offset Land

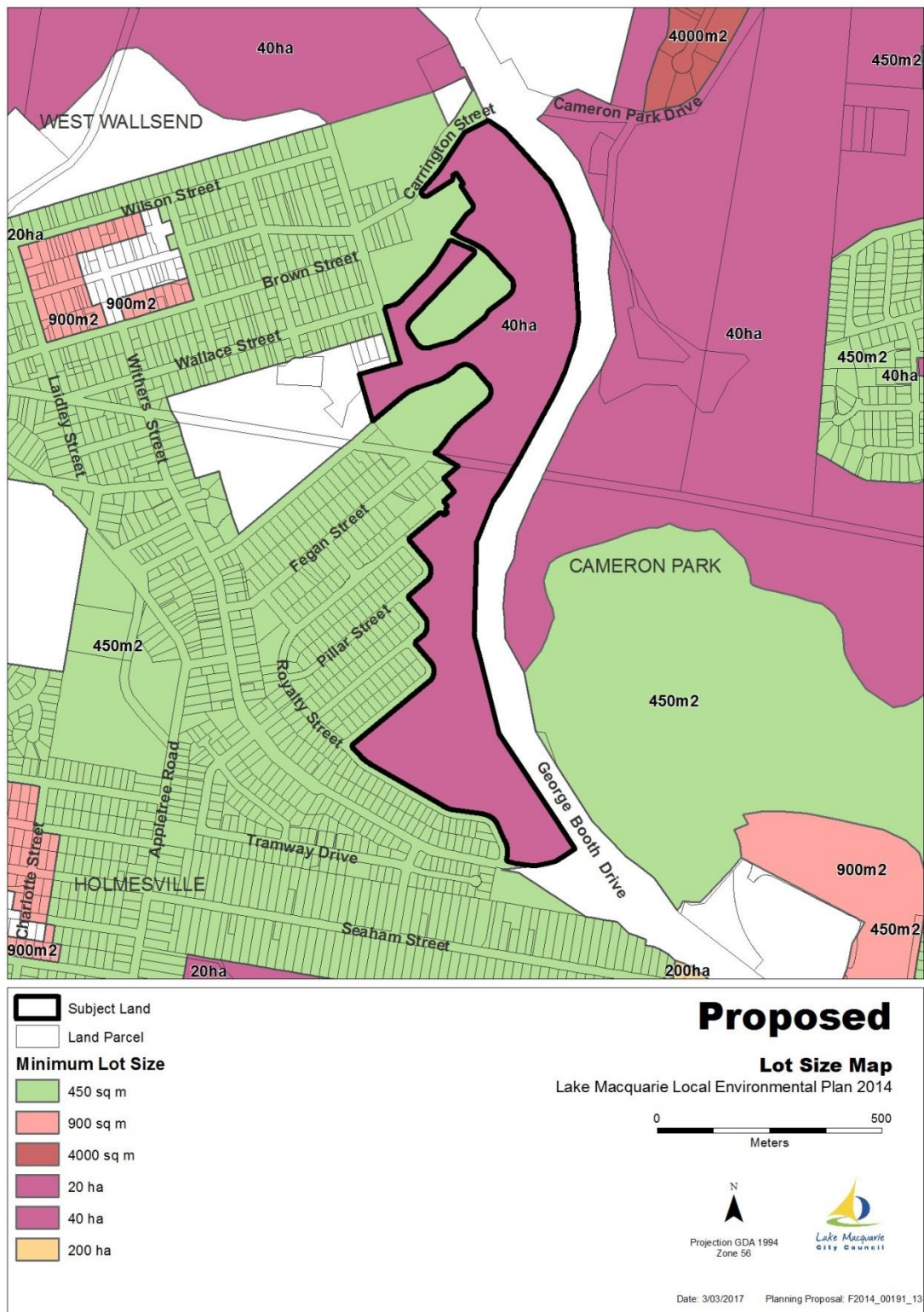


Figure 122: Proposed Lot Size - Item 19 - West Wallsend Offset Land

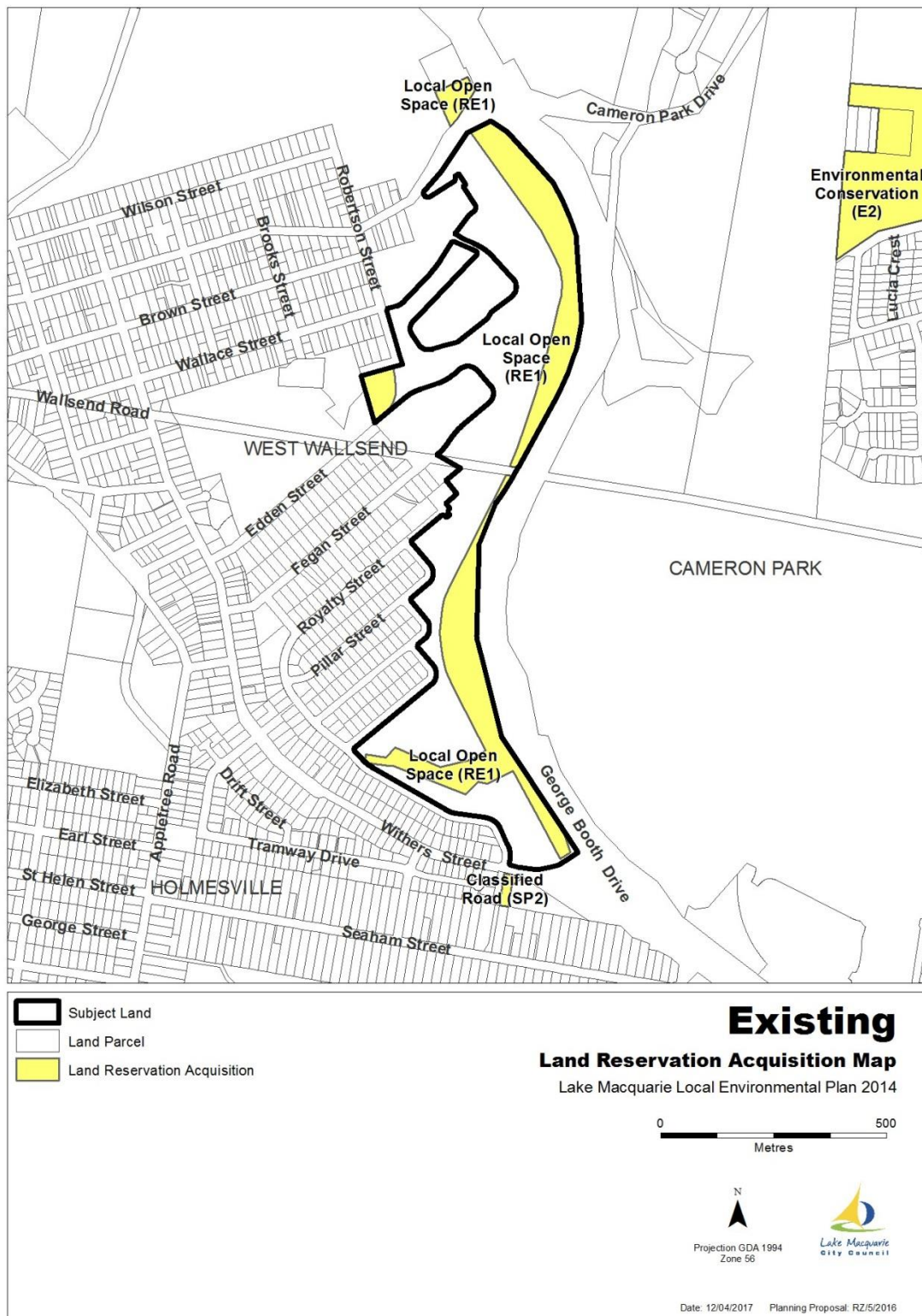


Figure 123: Existing Land Reservation Acquisition Map - Item 19 - West Wallsend Offset Land

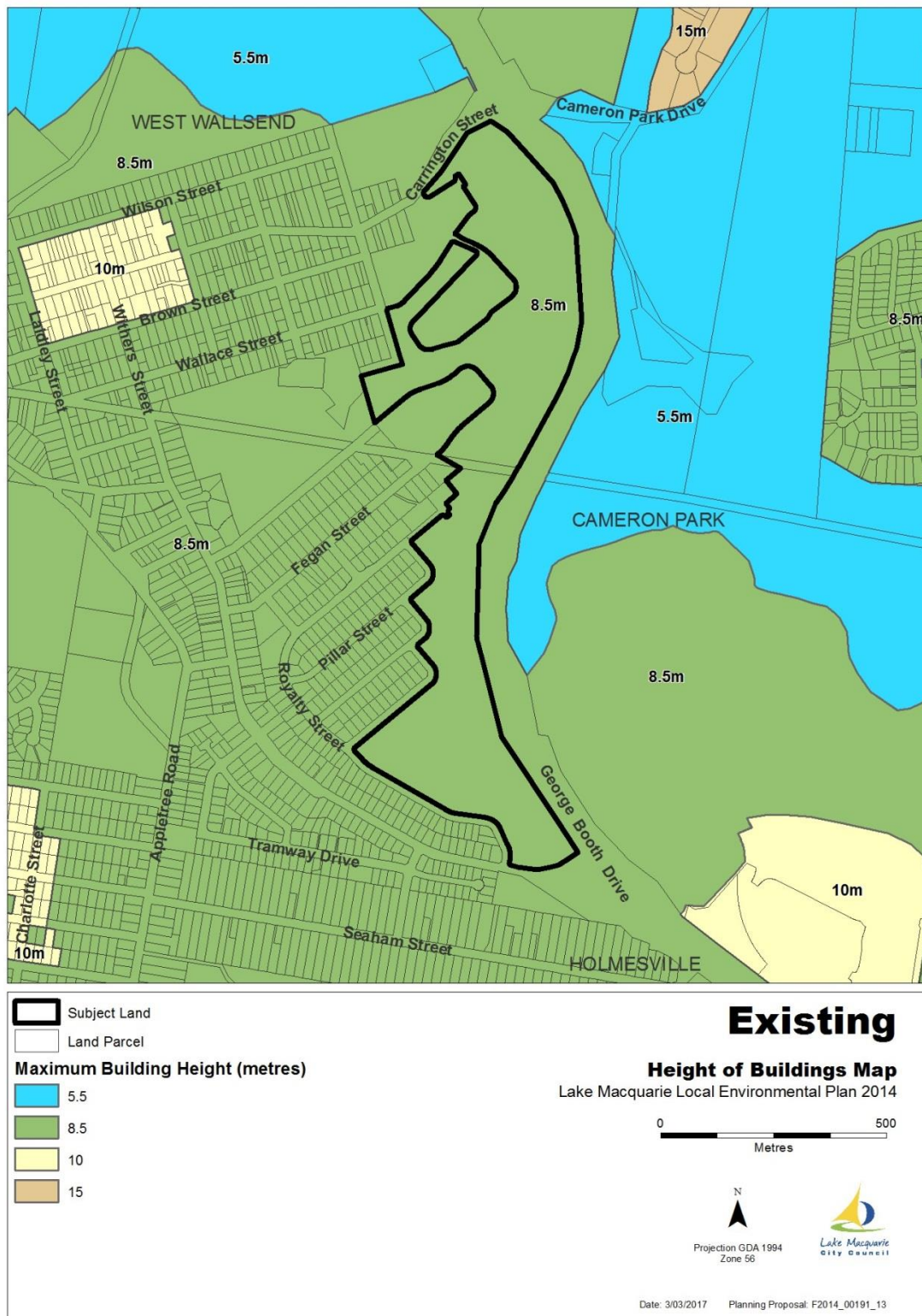


Figure 124: Existing Height of Building – Item 19 - West Wallsend Offset Land

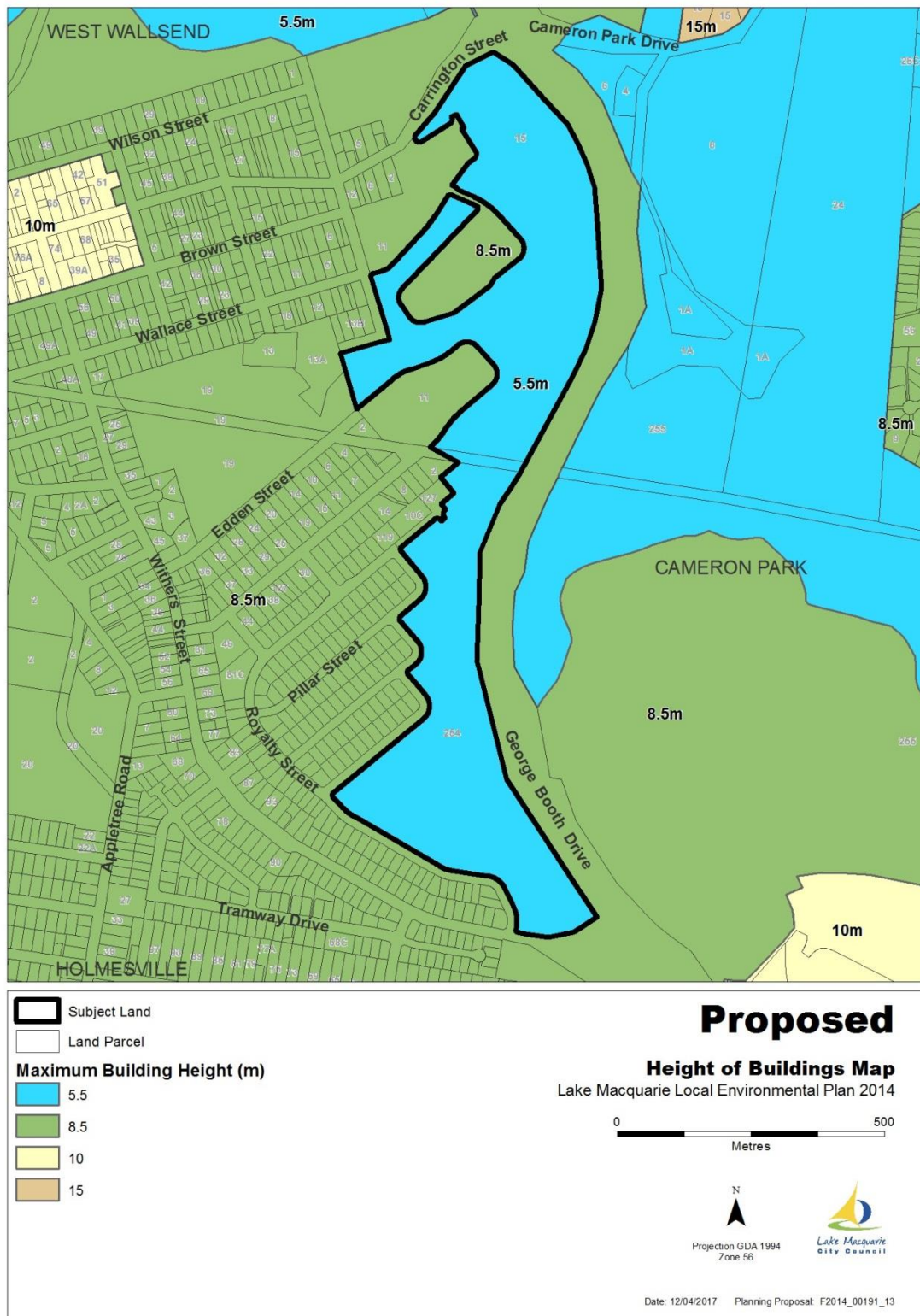


Figure 125: Proposed Height of Building - Item 19 - West Wallsend Offset Land

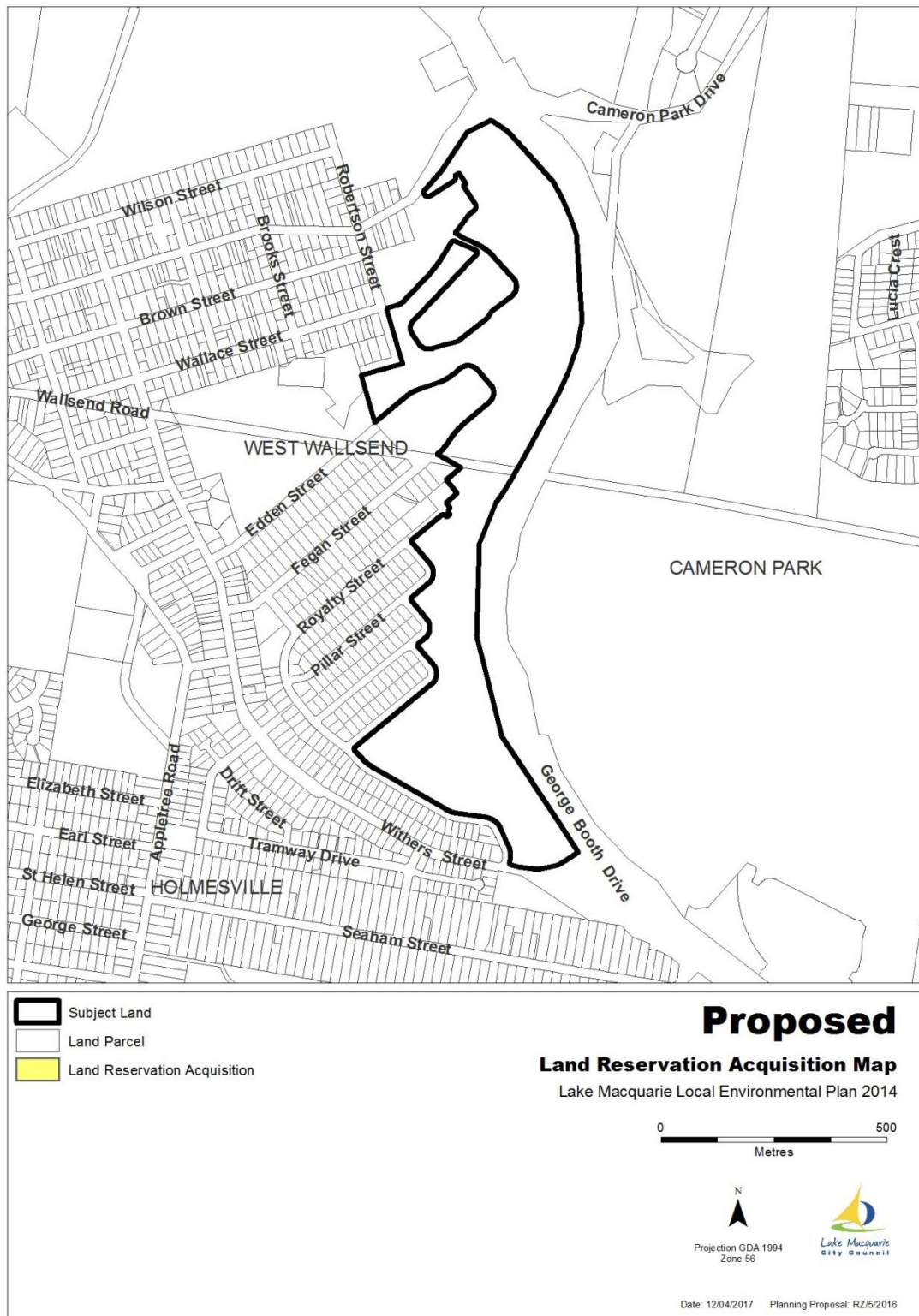


Figure 126: Proposed Land Reservation Acquisition Map – Item 19 - West Wallsend Offset Land

Item 20 – 428 Bushells Ridge Road, Wyee

20 - 428 Bushells Ridge Road, Wyee	
Address (the site)	428 Bushells Ridge Road, Wyee (Lot 475 DP 755242)
Owner:	Mr A B Beeson and Mrs J L Beeson
Site area:	11.94 ha
Existing Uses:	Residential dwelling, shed and rural uses.
Existing Zones:	E2 Environmental Conservation and RU2 Rural Landscape.
Proposed Zone:	Realignment of the E2 and RU2 zone boundaries.
Proposal:	It is proposed to adjust the E2/RU2 zone boundaries to reflect the existing (agricultural) use rights and to initiate the rehabilitation of the vegetation corridor to achieve a superior conservation outcome. The RU2 zoning allows use of land for extensive agriculture and horticulture without the consent of Council. The rehabilitation of this corridor essential and justifies a balanced 'burden for benefit' outcome. A Voluntary Planning Agreement will need to be prepared to ensure this rehabilitation occurs.
Background and Justification:	<p>DA159/2002 for the dwelling and growing area was approved on 16/11/2001. During the processing of the application, some concern was raised regarding the proposed agricultural use of this property given the zoning under the Draft LEP of 7(2) Conservation (Secondary). Agriculture was a prohibited use under this proposed zoning. A file note relating to this application states: <i>"As the application was lodged for an agricultural use, prior to formal exhibition of the plan, it is considered a permissible use for the site. This information was conveyed to the applicant by telephone on 5 November 2001"</i>.</p> <p>As development consent has been issued for a growing area and appears to be acted upon, existing use rights are applicable to the site. Pursuant to Clauses 42 and 43 of the Environmental Planning and Assessment Regulations, an existing use (i.e. agriculture may be continued) on the property and may be enlarged, expanded and intensified with consent of Council.</p> <p>The rear proportion of the site, which is heavily vegetated as E2 Environmental Conservation, connects with a vegetation corridor adjacent to the western boundary.</p>
Other Environmental Constraints:	Bushfire prone land, flood control lot – high hazard, natural watercourse.



Figure 127: Aerial Photo - Item 20 - 428 Bushells Ridge Road, Wyee

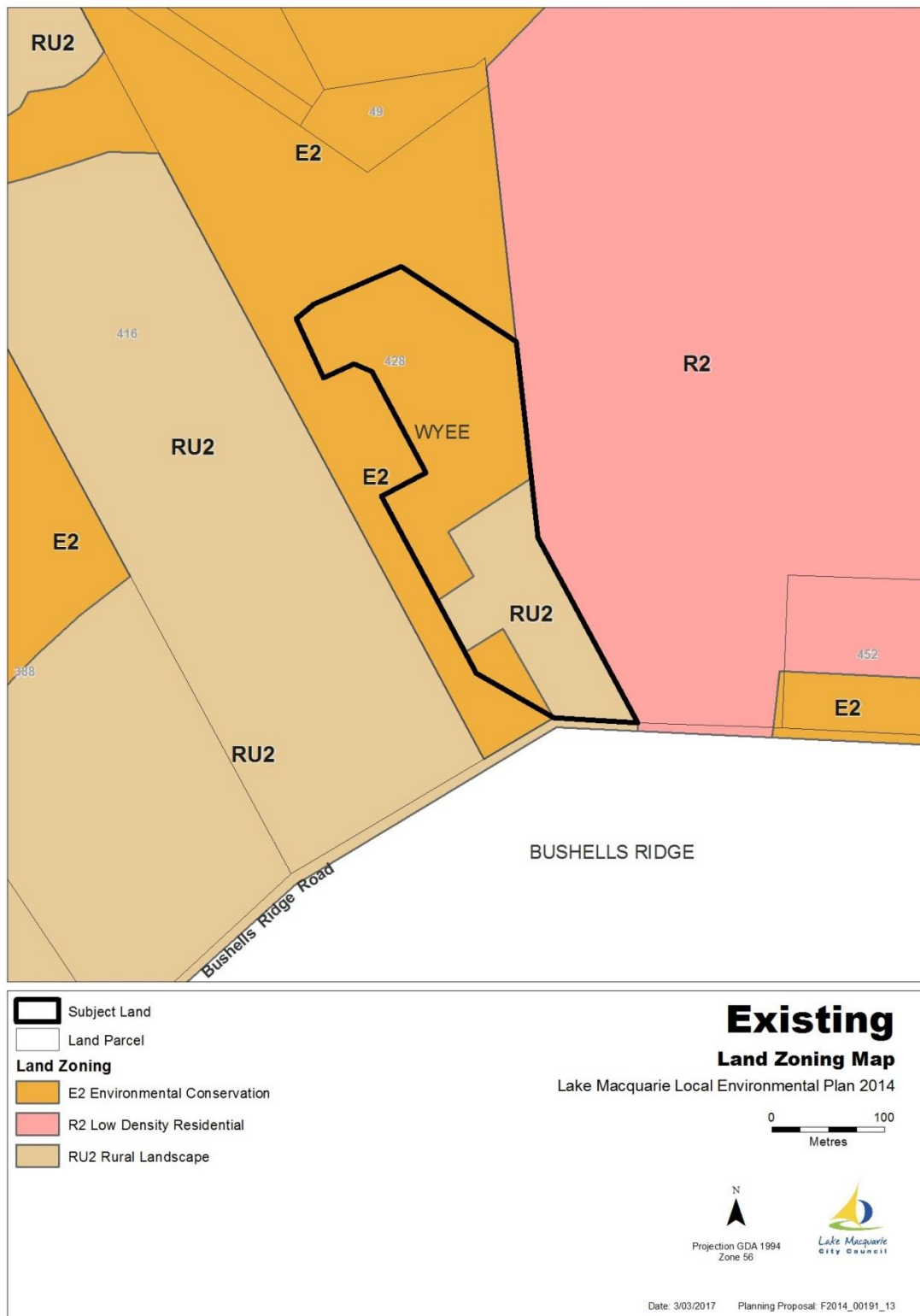


Figure 128: Existing Zoning - Item 20 - 428 Bushells Ridge Road, Wyee

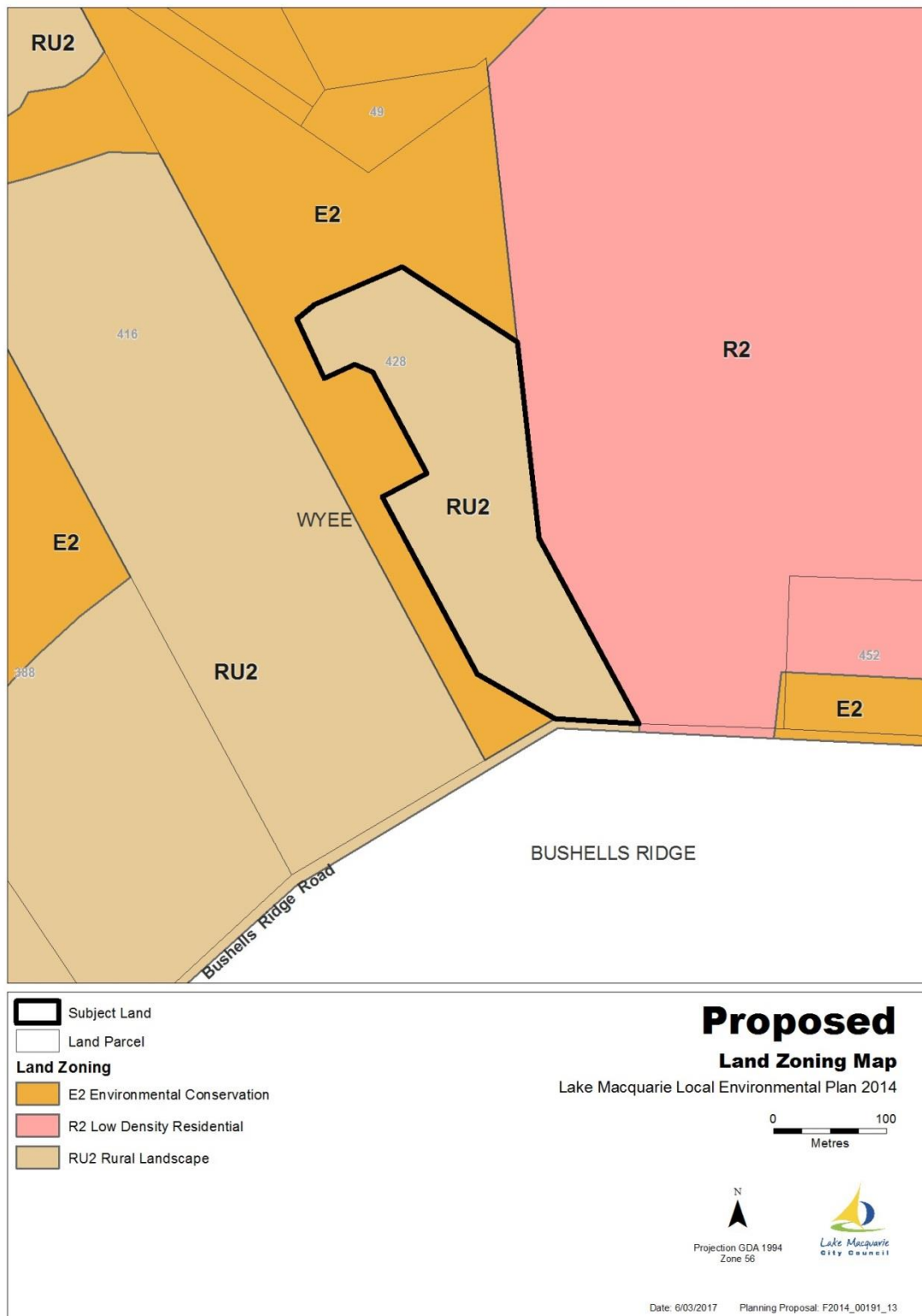


Figure 129: Proposed Zoning - Item 20 - 428 Bushells Ridge Road, Wyee

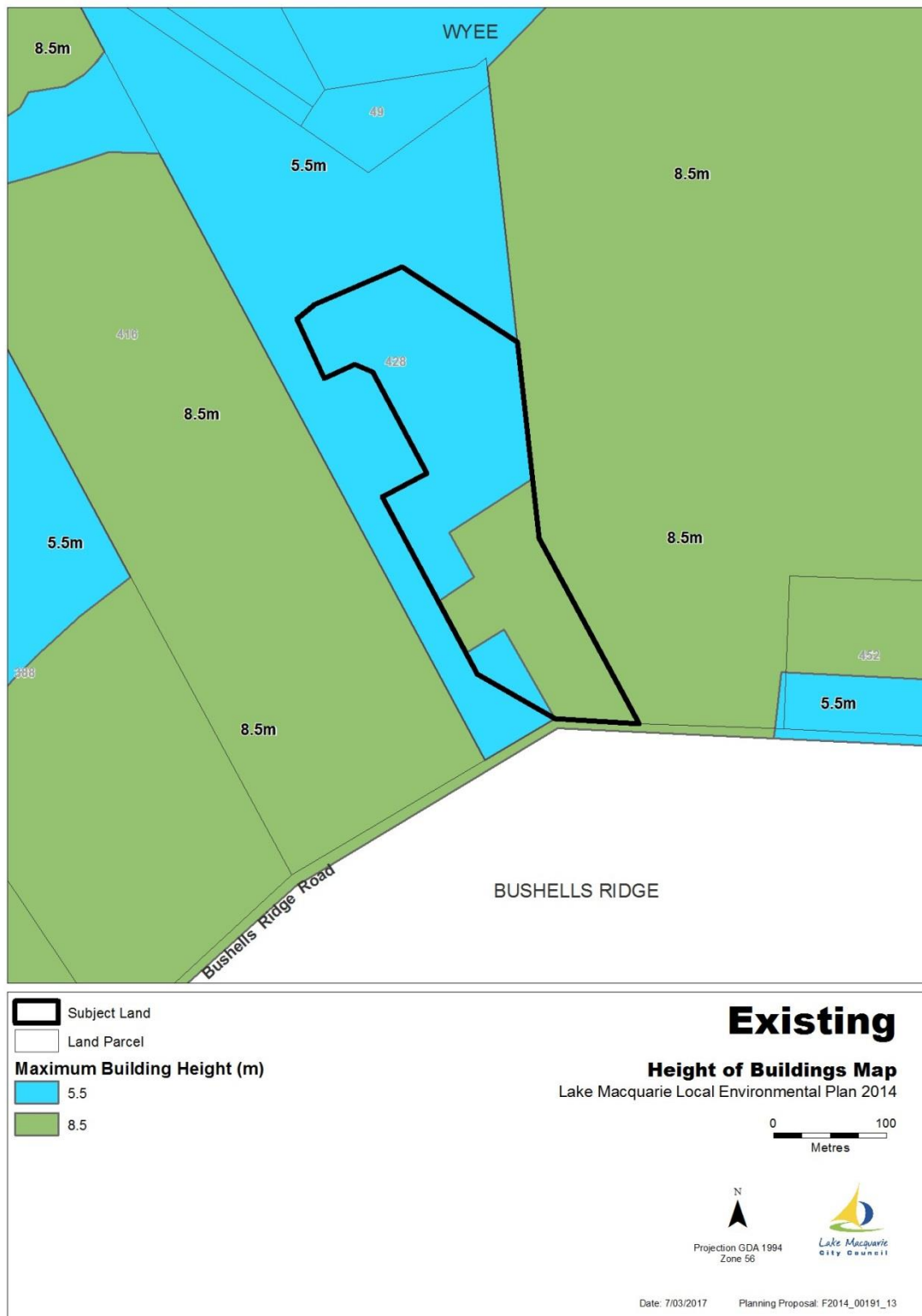


Figure 130: Existing Height of Building - Item 20 - 428 Bushells Ridge Road, Wyee

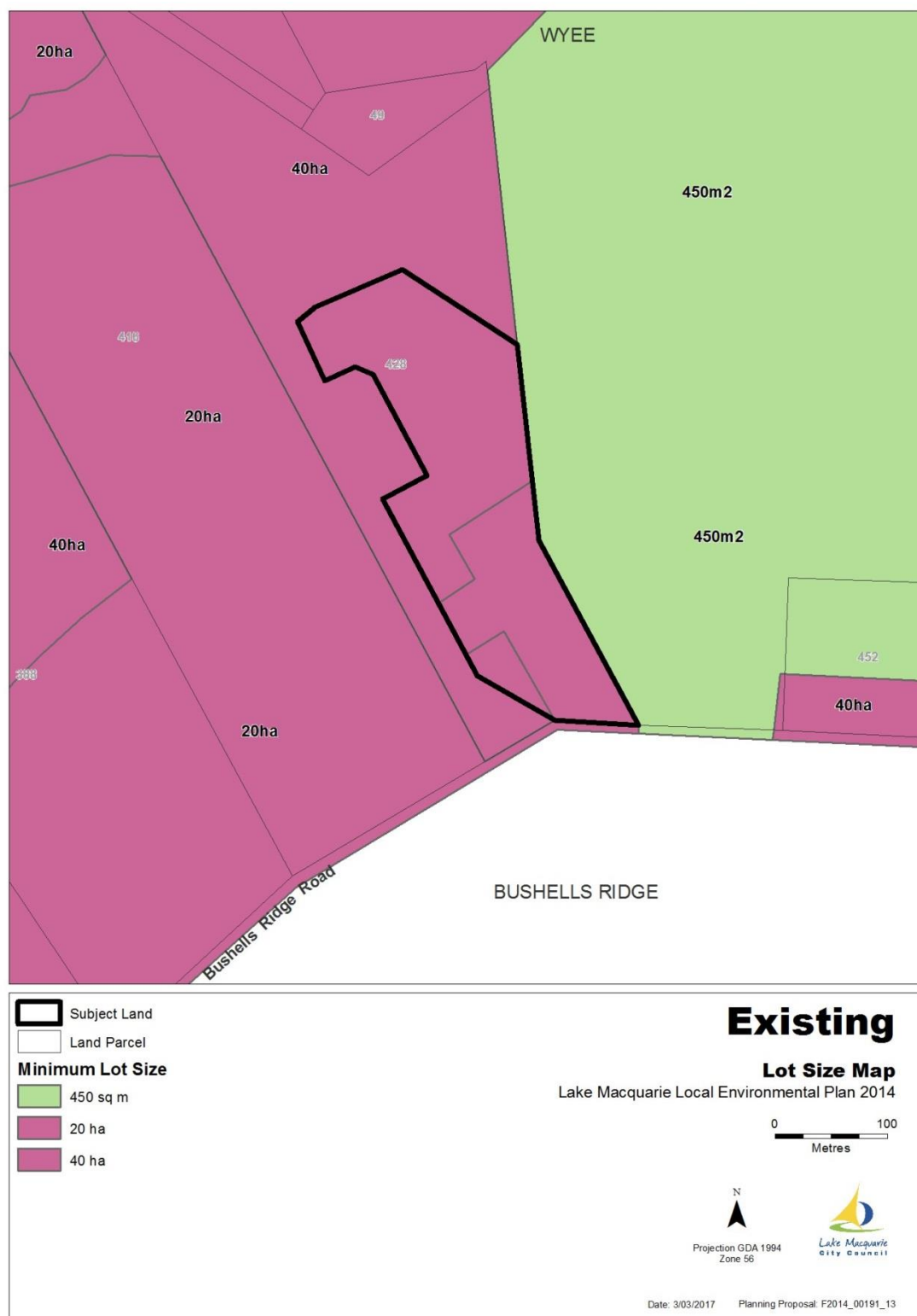


Figure 132: Existing Lot Size - Item 20 - 428 Bushells Ridge Road, Wyee

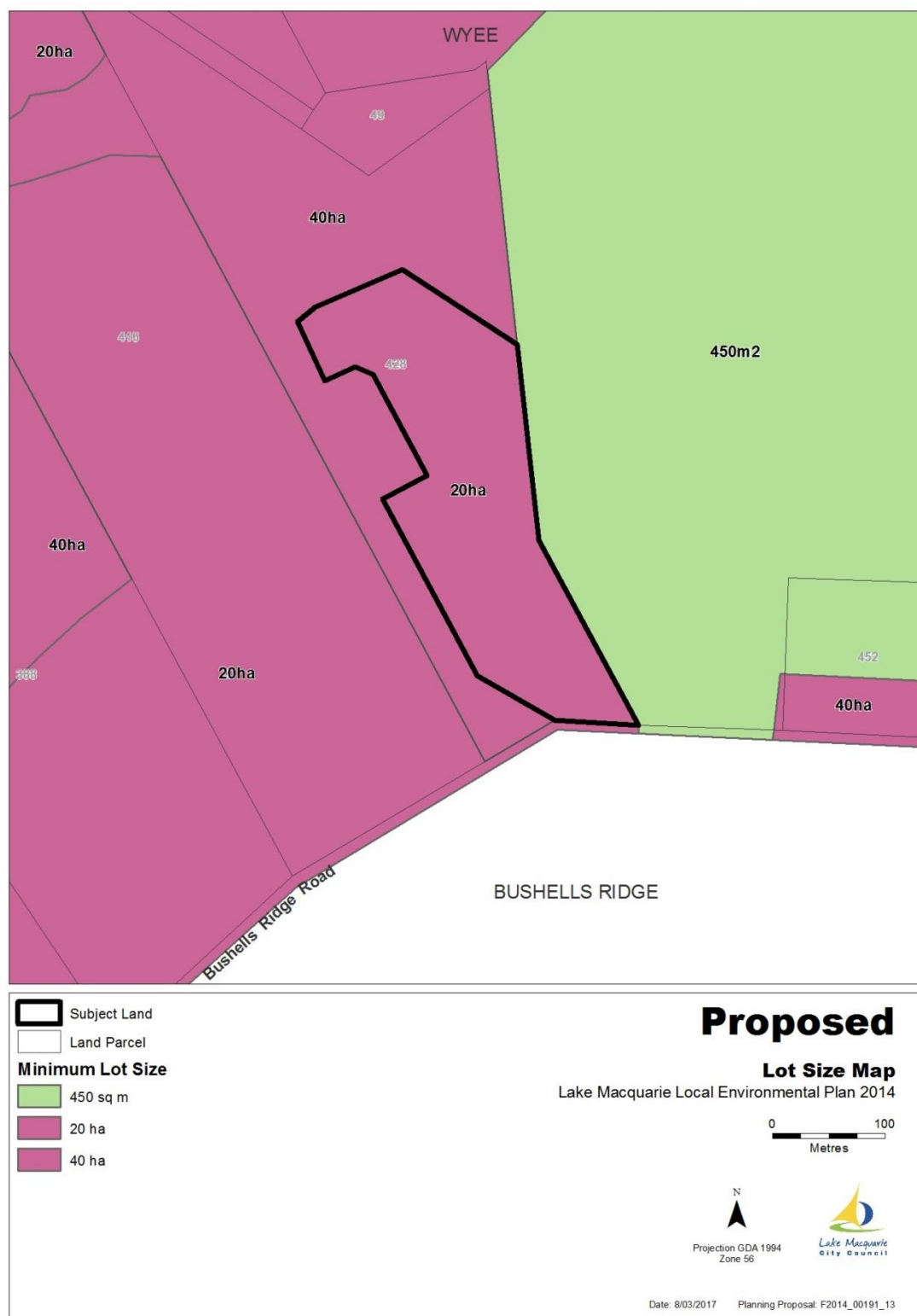


Figure 133: Figure 141: Proposed Lot Size - Item 20 - 428 Bushells Ridge Road, Wyee

Part 5 – Community Consultation

The planning proposal will be exhibited in accordance with the Gateway determination. This section will be updated once community consultation occurs. It is recommended that the planning proposal is exhibited for 28 days.

Part 6 – Project Timeline

The project timeline would be updated post Gateway Determination and is subject to the requirements of the Gateway Determination.

Task	Timeframe
Commencement Date – Gateway Determination	
Timeframe for completion of technical information	
Government Agency Consultation	28 days
Commencement and Completion Dates for Public Exhibition Period	28 days
Dates for Public Hearing	Not required
Timeframe for Consideration of Submissions	14 days
Timeframe for the consideration of a proposal post exhibition	28 days
Submission to DoPI to finalise LEP	
Anticipated date RPA to finalise the plan (if delegated)	
Anticipated date RPA will forward to DoPI for notification	