### ITEM NO. 6

FILE NO: 22/210262 EDRMS NO: 58-2022-4-1

# PLANNING PROPOSAL FOR PART OF 100 AND 174A SALAMANDER WAY, SALAMANDER BAY

REPORT OF: BROCK LAMONT - STRATEGY & ENVIRONMENT SECTION MANAGER GROUP: DEVELOPMENT SERVICES

### **RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopt the planning proposal **(ATTACHMENT 1)** to amend the Port Stephens Local Environmental Plan 2013 to reclassify part of 100 and 174A Salamander Way, Salamander Bay (part of Lots 21 and 23 DP 1044009) from community to operational land.
- 2) Forward the planning proposal to the NSW Department of Planning and Environment for a Gateway determination and request authority to make the plan.

### ORDINARY COUNCIL MEETING - 13 SEPTEMBER 2022 MOTION

243	Councillor Jason Wells Councillor Leah Anderson
	It was resolve that Council:
	<ol> <li>Adopt the planning proposal (ATTACHMENT 1) to amend the Port Stephens Local Environmental Plan 2013 to reclassify part of 100 and 174A Salamander Way, Salamander Bay (part of Lots 21 and 23 DP 1044009) from community to operational land.</li> </ol>
	2) Forward the planning proposal to the NSW Department of Planning and Environment for a Gateway determination and request authority to make the plan.

In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Ryan Palmer, Crs Leah Anderson, Giacomo Arnott, Matthew Bailey, Peter Francis, Steve Tucker and Jason Wells.

Those against the Motion: Nil.

The motion was carried.

### BACKGROUND

The purpose of this report is to recommend that Council adopt a planning proposal **(ATTACHMENT 1)** to amend the Port Stephens Local Environmental Plan 2013 (LEP) to reclassify part of 100 and 174A Salamander Way, Salamander Bay (part of Lots 21 and 23 DP 1044009) **(ATTACHMENT 2)** from community to operational land. A Strategic Planning Assessment Report is included at **(ATTACHMENT 3)**.

A planning proposal to amend LEP Schedule 4 Classification and reclassification of public land is the appropriate mechanism to consider the reclassification of the subject land. The NSW Department of Planning and Environment (Department) has additional requirements that must be addressed in the justification of planning proposals that seek to reclassify public land. These requirements are set out in NSW LEP Practice Note PN 16-001 Classification and reclassification of public land through a local environmental plan. They include additional information on Council's interests in the land and a requirement for an independently chaired public hearing following public exhibition.

Council previously resolved as landowner on 28 September 2021 to commence the reclassification process for the subject land and authorise St Philip's Christian College to lodge a planning proposal for consideration by Council.

The planning proposal **(ATTACHMENT 1)** has subsequently been lodged by Barr Property and Planning Pty Ltd (for St Philip's Christian College) in the NSW Planning Portal for consideration by Council. If the planning proposal is adopted, a Gateway determination will be sought from the Department. If the planning proposal proceeds, it will be subject to the community consultation process, including public exhibition and an independently chaired public hearing. A post-exhibition report will be prepared for consideration by Council.

The subject land is currently occupied by St Philip's Christian College under a licence arrangement issued in 2016 for a 21 year period for the purpose of 'construction and maintenance of an area for car parking and playing fields'. The development application authorising the construction of the car park and playground extension was approved in 2017 and construction was completed in 2019. The car park and playing fields form part of the school.

To facilitate any potential sale of the land, reclassification to operational land under the Local Government Act 1993 is required.

Date lodged:	6 July 2022
Proponent:	Barr Property and Planning Pty Ltd (for St
	Philip's Christian College)
Subject land:	Part of 100 Salamander Way, Salamander Bay
	(part of Lot 21 DP 1044009)

A summary of the planning proposal is set out below:

	Part of 174A Salamander Way, Salamander Bay (part of Lot 23 DP 1044009)
Subject land area:	1.3 hectares (approximate)
Current classification:	Community land
Proposed classification:	Operational land
Zoning (to be retained):	SP2 Infrastructure (School/Child care centre)

### Purpose of the amendment

The purpose of the planning proposal is to amend LEP Schedule 4 Classification and reclassification of public land for the subject land from community to operational land. Reclassification will enable commencement of negotiations to sell the subject land as outlined in the planning proposal (ATTACHMENT 1).

### Existing and surrounding uses

The subject land has an area of 1.3 hectares. It is currently occupied by St Philip's Christian College for use as a car park and extension of its playing fields under a 21 year license with Council.

### Suitability of the subject land

The subject land proposed for reclassification is already developed and suitably zoned SP2 Infrastructure (School/Child care centre) consistent with its current use. It is suitable for reclassification from community to operational land, subject to the planning proposal process including community consultation and an independently chaired public hearing.

### **COMMUNITY STRATEGIC PLAN**

Strategic Direction	Delivery Program 2022-2026
Thriving and Safe Place to Live	Provide land use plans, tools and advice that sustainably support the community.

### FINANCIAL/RESOURCE IMPLICATIONS

There are potential positive financial implications for Council as a result of the planning proposal. Reclassification of the subject land would enable long term tenure of the site.

The proponent has engaged an independent consultant, at their cost, to prepare and lodge the planning proposal.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes	6,300	Stage 1 planning proposal fee

Source of Funds	Yes/No	Funding (\$)	Comment
Reserve Funds	No		
Developer Contributions (S7.11)	No		
External Grants	No		
Other	No		

### LEGAL, POLICY AND RISK IMPLICATIONS

There are no anticipated legal, policy, or risk implications as a consequence of the recommendations of this report.

Risk	<u>Risk</u> Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that parts of the community may not support the reclassification of the subject land.	Low	Undertake community consultation consistent with the planning proposal process for the reclassification of community land, including an independently chaired public hearing following exhibition.	Yes

### Environmental Planning and Assessment Act 1979 (NSW)

The planning proposal is being processed in accordance with Part 3 of the Environmental Planning and Assessment Act 1979 (NSW) (EP & A Act). Should Council resolve to adopt the planning proposal, it would be forwarded to the NSW Department of Planning and Environment (Department) for a Gateway determination and a request for delegated authority to make the plan.

### Port Stephens Local Environmental Plan 2013

The planning proposal seeks to amend Port Stephens Local Environmental Plan 2013 (LEP) Schedule 4 Classification and reclassification of public land and the accompanying LEP Reclassification Map to identify the subject land as operational.

The subject land proposed for reclassification would retain its current zoning of SP2 Infrastructure (School/Child care centre). The objectives of this zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The existing development and use of the land is consistent with these objectives.

### SUSTAINABILITY IMPLICATIONS

Includes Social, Economic and Environmental Implications

The planning proposal has positive social and economic impacts. The subject land is currently used for the purpose of a car park and playing field and reclassification will secure ongoing tenure of the site for this purpose. There are no environmental implications from the planning proposal.

### CONSULTATION

Consultation with key stakeholders has been undertaken by the Strategy and Environment Section.

#### **Internal**

No objections were raised during internal consultation.

#### **External**

Consultation with the community and any relevant government authorities would be undertaken in accordance with any Gateway determination issued by the Department.

It is anticipated that the planning proposal would be exhibited for a minimum of 28 days.

A public hearing, chaired independently and at full cost to the proponent, would be held following public exhibition of the planning proposal, consistent with the planning proposal process for the reclassification of community land.

### **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

### ATTACHMENTS

- 1) Planning Proposal 100 and 174A Salamander Way, Salamander Bay.
- 2) Locality Plan 100 and 174A Salamander Way, Salamander Bay.
- 3) Strategic Planning Assessment Report 100 and 174A Salamander Way, Salamander Bay.

### **COUNCILLORS ROOM**

Nil.

### TABLED DOCUMENTS

Nil.

ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



Proposed amendment to Port Stephens Local Environmental Plan 2013 Reclassification of Community Land Part of 100 & 174A Salamander Way (Part of Lots 21 & 23 DP 1044009) Salamander Bay



# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### **FILE NUMBERS**

Port Stephens Council: 58-2022-4-1 (Version 2.0 Council Report)

**NSW Department of Planning and Environment:** To be provided at Gateway determination.

#### SUMMARY

Subject land:	Part of Lot 21 DP 1044009 (100 Salamander Way, Salamander Bay) Part of Lot 23 DP 1044009 (174A Salamander Way, Salamander Bay)		
Proponent:	Barr Planning Pty Ltd (for St Philip's Christian Education Foundation Pty Ltd)		
Proposed changes:	Reclassification from Community land to Operational land		
Area of land:	1.3 hectares		
Lot yield:	Not applicable		

#### BACKGROUND

The planning proposal seeks to reclassify a portion of land within 100 and 174A Salamander Way, Salamander Bay (also known as Lot 21 and Lot 23, DP 1044009) from Community Land to Operational Land.

The broader site is split zoned part C2 Environmental Conservation, RE1 Public Recreation and SP2 Infrastructure (School/Child care centre) under the Port Stephens Local Environmental Plan 2013 (LEP). The reclassification will only apply to the portion of the lots zoned as SP2 Infrastructure (School/Child care centre). The reclassification boundary will reflect the existing SP2 Infrastructure zoning on the two subject lots, which has an approximate area of 1.3 hectares. A subdivision will follow to create new lots to match the existing zone boundary.

The subject land proposed for reclassification is currently occupied by St Philip's Christian College Port Stephens for use as a car park and extension of its playing fields under a 21-year license with Port Stephens Council. The subject site is Community Land under the Local Government Act 1993 (NSW) (LG Act) and is zoned SP2 Infrastructure (School/Child care centre). The land is owned by Port Stephens Council as indicated in a certificate of title obtained on 28 January 2021. Reclassification from Community Land to Operational Land is sought in order to transfer the licenced land to the ownership of St Philip's Education Foundation Pty Ltd, the organisation that oversees various St Philip's Christian College campuses.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

St Philip's Christian College was founded in 1982 and currently operates six schools across Newcastle, Port Stephens, Cessnock, and Gosford. St Philip's Christian College has been owned and operated by St Philip's Christian Education Foundation Limited, a not-for-profit company, since 1985. St Philip's Christian College Port Stephens at 182 Salamander Way, Salamander Bay has operated since 1995. The school provides education services to students ranging from early learning to primary and secondary schooling. The school site has been subject to progressive development and expansion ranging from landscaping and playing field extensions to demountable classrooms to construction of a three-storey senior school building.

A licence agreement was issued by Council in July 2016 for a 21-year period for the 'Construction and maintenance of an area for car parking and playing fields'. Development Application 16-2016-770-1 was approved in June 2017 and allowed the construction of a car park, playground extension and relocation of fire trail. The licence and development application apply to the school site as well as the Council-owned subject site. Currently, the car park completed in 2019 operates for the benefit of the school.

On 28 September 2021, Council resolved to commence the reclassification process for the proposed footprint shown in *Figure 1 Site Location*.

The desired outcome of the reclassification is the eventual subdivision and transfer of ownership the subject site from Port Stephens Council to St Philip's Education Foundation Pty Ltd, through an acquisition process. This fully consolidates the St Philip's Christian College Port Stephens campus to include the land upon on which infrastructure, constructed and operated by St Philip's, is situated. Further physical works or development of the subject land is not proposed. The planning proposal seeks to facilitate a development application for the purpose of subdivision for future acquisition to occur.

#### SITE

This planning proposal applies to a 1.3 hectare area within 100 and 174A Salamander Way, Salamander Bay, otherwise known as Lot 21 DP 1044009 and Lot 23 DP 1044009 respectively.

The subject land is occupied in the north by a sealed formal car park and in the south by part of turfed playing fields, both of which are in service of St Philip's Christian College Port Stephens. An unsealed track extends south from the car park to a gated fire trail to the east. The site is accessed via a roundabout off Salamander Way. With the exception of the turfed playing fields, the site is generally clear of vegetation. The site is partially mapped as containing bushfire prone land, coastal wetland, and biodiversity values despite being cleared and developed. The site is mapped as Class 3 acid sulphate soils. The site is not identified as containing any Indigenous or non-Indigenous heritage.

ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

The proposed reclassification of the subject land from Community Land to Operational Land has significant strategic merit as it is consistent with the SP2 Infrastructure (School/Child care centre) land use zone, regional and local planning strategies and the existing development on the site.

#### Land Use Zone

The area of the site subject to reclassification is zoned SP2 Infrastructure (School/Child care centre). The zone objectives listed in the LEP Land Use Table are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The reclassification will facilitate the acquisition and incorporation of the subject site land with the St Philip's campus, which will ensure the long-term security of educational infrastructure. As a result, the reclassification will contribute to the provision of infrastructure and related uses. The reclassification will not vary the permissible or prohibited uses under the SP2 Infrastructure zone or exceed the relevant development standards. The reclassification will therefore not encourage development that is not compatible with, or that may detract from infrastructure provision.

#### Existing Split Zone

The broader site, being both 100 and 174A Salamander Way, is split-zoned as part C2 Environmental Conservation, RE1 Public Recreation and SP2 Infrastructure (School/Child care centre). The split zoning is considered undesirable, as undertaking any planning or development is typically reflective of the spatially dominant environmental zoning. The Community Land, being the entirety of the lots, is currently listed as natural areas (bushland, wetland) under Council's Natural Areas Generic Plan of Management 2003, which incorrectly reflects the SP2 Infrastructure (School/Child care centre) zoned areas of the lots. The reclassification and proposed subsequent subdivision along the zone boundaries will clearly delineate between conservation and infrastructure provisions, recognising the infrastructure purpose of the site whilst maintaining the environmental management status of the remnant lot portions.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



Figure 2 Area Subject to Reclassification (Aerial)

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



Figure 3 Area Subject to Reclassification (Zoning)

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### PART 1 – Objectives and intended outcomes

The planning proposal seeks to achieve the following outcome:

• To reclassify the subject site from Community Land to Operational Land.

The planning proposal will enable the subdivision of the lots present on the site and allow for Council's divestment of the parcel zoned SP2 Infrastructure (School/Child care centre).

#### PART 2 – Explanation of provisions

The objectives of the planning proposal will be achieved by the following amendments to the Port Stephens Local Environmental Plan 2013 (LEP):

Figure 4 Proposed Amendment to Port Stephens Local Environmental Plan 2013 (LEP)

Schedule 4 Classification and reclassification of public land Part 1 Land Classified, or reclassified, as operational land – no interests changed		
Locality	Description	
Part of 100 Salamander Way, Salamander Bay	Part of Lot 21 DP 1044009	
Part of 174A Salamander Way, Salamander Bay	Part of Lot 23 DP 1044009	



# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### PART 3 – Justification of strategic and site specific merit

#### Section A - Need for the planning proposal

## Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is not the result of a strategic study or report.

## Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the only way to adhere to the relevant objectives. The land is classified as Community Land under the provisions of the LG Act, which imposes statutory limitations on the transfer of ownership. In order for St Philip's Education Foundation Pty Ltd to purchase the land, it must be classified as Operational Land in accordance with Part 2 of the LG Act. The reclassification cannot be made by council resolution under Section 31, 32, or 33 of the LG Act, therefore it must be made via LEP amendment.

#### Section B – Relationship to strategic planning framework

# Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited plans or strategies)?

#### Hunter Regional Plan 2036

The proposed reclassification is consistent with the Hunter Regional Plan 2036 (HRP), which has a focus on providing the Hunter region with a leading regional economy, a biodiversity-rich natural environment, thriving communities and greater housing choice and jobs. The consolidation of the subject site with St Philip's Christian College Port Stephens campus and transference into private ownership will ensure the long-term use of the site for educational and infrastructure purposes, including the provision of high-quality outdoor recreation opportunities for students in accordance with Direction 18 'Enhance access to recreational facilities and connect open spaces' of the HRP. The certainty provided through St Philip's acquisition of the subject land will ensure that the campus will continue to accommodate the needs of students, staff, and the community.

#### Greater Newcastle Metropolitan Plan 2036

The proposed reclassification is consistent with the Greater Newcastle Metropolitan Plan 2036 (GNMP), which sets out strategies and actions that will drive sustainable growth across the Cessnock, Lake Macquarie, Maitland, Newcastle, and Port Stephens local government areas. The reclassification will enable St Philip's Christian College Port Stephens campus greater autonomy over its built infrastructure and open space, which will allow for flexibility and future assurance into the use and development of the site. The

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

ability to control and plan for the land in the long-term will ensure that students, staff, and the school community can enjoy enhanced green space and amenity in accordance with Outcome 2 'Enhance environment, amenity and resilience for quality of life' of the GNMP.

#### Draft Hunter Regional Plan 2041

The proposed reclassification is consistent with the Draft Hunter Regional Plan 2041 (Draft HRP) The Draft HRP has a renewed focus on providing inclusive and vibrant local communities, as set out in Objective 3 'Create a 15 minute region made up of mixed, multi-modal, inclusive and vibrant local communities'.

Similar, to that of the existing HRP, the consolidation of the site and ultimate transfer into private ownership will maintain and reinforce educational uses across the entire site, to support the provision of continuous local employment and education for the community. The retention of the C2 Environmental Conservation zone on the balance of the site supports the draft HRP objective to improve the quality of open spaces and improving the natural environment.

#### Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or another endorsed local strategy or strategic plan?

#### Port Stephens Local Strategic Planning Statement

The proposed reclassification is consistent with the Port Stephens Local Strategic Planning Statement (LSPS), which identifies the 20-year vision for land use in Port Stephens. It sets out social, economic and environmental planning priorities for the future and identifies when they will be delivered. The reclassification will contribute to retention of open space within the school's ownership, allowing for long term asset planning for healthy, active spaces for young people in accordance with Planning Priority 10 'Create people friendly spaces in our local centres where people can come together'. This planning proposal is relevant to the LSPS and Section 9.1 Directions in accordance with the requirements of the LSPS and EP&A Act.

#### Port Stephens Community Strategic Plan 2018-2028

The proposed reclassification is consistent with Port Stephens Community Strategic Plan (CSP), which outlines a roadmap to achieve community aspirations and priorities within Port Stephens LGA over the next 7 years to 2028.

The reclassification will, through its facilitation of St Philip's intended purchase of the land, contribute to the school's ability to continue deliver education services to the region in accordance with the CSP's intention to foster creative and active communities (CSP C3 Community partnerships). The consolidation of ownership will encourage the long-term management of private civil and

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

community infrastructure in support of the CSP's vision for infrastructure and facilities (CSP P2 Infrastructure and facilities). Council's divestment from the land will contribute to the organisation's financial sustainability (CSP L2 Financial management). Following of statutory procedures to reclassify the subject land will provide an opportunity for the expression of community voice (CSP L3 Communication and engagement).

## Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The planning proposal is not relevant within the context of other State or regional studies or strategies.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

## Q6.Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Assessment of the planning proposal against relevant SEPPs is provided in the following table.

Table 1 - Relevant State Environmental Planning Policies



# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

SEPP	Consistency and Implications
Chapter 4 Remediation of Land This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination.	RelevanceChapter 4 applies to all land, particularly where sensitive uses (such as schools) are proposed. The SEPP requires consideration of contamination issues when rezoning land.ConsistencyThe land is not proposed to be rezoned. The site has no known history of current or previous contamination. The area proposed for reclassification is already developed for the purposes of a car park and playing field.
SEPP (Transport and l	nfrastructure) 2021
Chapter 3 Educational Establishments and Child Care Facilities This chapter aims to facilitate the effective delivery of educational establishments and early education and care facilities.	RelevanceChapter 3 aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.ConsistencyThe land is proposed to be reclassified and does not propose or require any physical works. The subject land to which the reclassification applies to is already developed for the purposes of carparking and sports fields to serve the school.
SEPP (Biodiversity and	d Conservation) 2021
Chapter 4 Koala habitat protection 2021 Aims to help reverse the decline of koala populations by ensuring koala habitat is properly considered during the development assessment process, and to provide a process for councils to strategically manage koala habitat through the development of koala plans of management.	RelevanceChapter 4 provides for development assessment processes for land affected by koalas or koala habitat. The land is mapped as 50m Buffer over Cleared within the Port Stephens Council Comprehensive Koala Plan of Management.ConsistencyThe proposed reclassification will not affect koala habitat or the application of the Koala SEPP during any development assessment process. The area proposed for reclassification is already developed for the purposes of a car park and playing field.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

# Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 directions)?

Assessment of the planning proposal against relevant Ministerial Directions is provided in the following table.

#### Table 2 - Relevant Ministerial Directions

Ministerial Directions	Consistency and Implications	
1. PLANNING SYSTEMS		
1.1 Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions, and actions contained in Regional Plans.	Relevance         Applicable. The Hunter Regional Plan 2036 (HRP), draft         Hunter Regional Plan 2041 (draft HRP) and Greater         Newcastle Metropolitan Plan 2036 (GNMP) are         applicable to the site.         Consistency         The proposal is aligned with the objectives and         directions outlined in both the HRP, and the draft HRP         Specifically, the proposal is consistent with Direction 18         'Enhance access to recreation facilities and connect         open spaces' of the HRP and Objective 3 'Create a 15         minute region made up of mixed, multi-modal, inclusive         and vibrant local communities' of the draft HRP.         The reclassification will enable the transfer and         consolidation of the subject site with the existing St         Philip's Christian College Port Stephens campus to         ensure the long-term use of the site for educational and         infrastructure purposes. This will include the provision of         high-quality outdoor recreation opportunities for students         in accordance with Direction 18 of the HRP, and         enhanced green space and amenity in accordance with         Outcome 2 'Enhance environment, amenity and         resilience for quality of life' of the GNMP.         The reclassification will also support the provision of         conservation on the balance of the site, supports the </td	

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Ministerial Directions	Consistency and Implications
3. BIODIVERSITY	AND CONSERVATION
3.1 Conservation Zones The objective of this direction is the protection and conservation of environmentally sensitive areas, by ensuring that planning proposals do not reduce the environmental protection standards applying to such land unless it is suitably justified by a relevant strategy or study or is of minor significance.	Relevance         Applicable. Direction 3.1 applies to all relevant planning authorities during the preparation of a planning proposal. <u>Consistency</u> The planning proposal will not affect environmentally sensitive areas and does not apply to land within an environmental protection zone or land otherwise identified for environmental protection purposes in an LEP. The proposal seeks to reclassify land that is zoned SP2 Infrastructure (School/Child care centre) from Operational Land to Community Land.
3.2 Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	RelevanceApplicable. Direction 3.2 applies to all relevant planning authorities that prepare a planning proposal.ConsistencyThe site is not located in the vicinity of local or State heritage items. Aboriginal sites and places were not identified on a Basic AHIMS search conducted on 29 October 2021. The area proposed for reclassification is already developed for the purposes of a car park and playing field.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Ministerial Directions	Consistency and Implications	
4. RESILIENCE AN	4. RESILIENCE AND HAZARDS	
4.2 Coastal Management The objective of this direction is to protect and manage coastal areas of NSW. This direction applies to land within the coastal zone.	RelevanceApplicable. Direction 4.2 applies to all relevant planning authorities that prepare a planning proposal. The land is partially within the 'Coastal Wetlands' area and the 'Proximity Area for Coastal Wetlands' under the SEPP (Coastal Management) 2018.ConsistencyThe planning proposal is strictly limited to the reclassification of the subject site and does not involve any development or physical modifications on or to the site. The area proposed for reclassification is already developed for the purposes of a car park and playing field. The proposal is consistent with this direction.	
4.3 Planning for Bushfire Protection The objectives of this direction are to protect life, property, and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, to encourage sound management of bush fire prone areas.	Relevance         Applicable. The subject land is partially mapped as bush fire prone land.         Image: Second S	

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Ministerial Directions	Consistency and Implications
4.5 Acid Sulphate	Relevance
Soils	Applicable. The planning proposal applies to land having
The objective of	a probability of containing acid sulfate soils. The land is
this direction is to	mapped as Class 3 Acid Sulphate Soils on the relevant
avoid significant	LEP map.
adverse	<u>Consistency</u>
environmental	The planning proposal is consistent with this Direction
impacts from the	The planning proposal will not introduce provisions to
use of land that	regulate works in acid sulphate soils and thus the Acid
has a probability	Sulfate Soils Planning Guidelines. The planning proposal
of containing acid	does not propose an intensification of land uses on the
sulphate soils.	subject land.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Section C – Environmental, social, and economic impact

# Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The proposed reclassification will not affect critical habitat, threatened species, populations or ecological communities, or their habitats. The subject site contains hardstand car park, unsealed fire trail, and cleared turfed playing fields. The reclassification will not enable any further uses not already permitted on the site.

## Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

No adverse environmental effects are anticipated as a result of the proposed reclassification. The reclassification will not enable any further uses not already permitted on the site.

## Q10. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal will be processed in accordance with statutory obligations, which will ensure that the community is adequately consulted during the preparation of the LEP amendment. The planning proposal will not be to the detriment of community use as the land does not currently service the community beyond the utilisation of St Philip's Christian College functions.

#### Section D – Infrastructure (Local, State and Commonwealth)

#### Q11. Is there adequate public infrastructure for the planning proposal?

There is adequate public infrastructure. The planning proposal does not facilitate any works that are not already permissible. The change in classification will not necessitate additional public infrastructure.

#### Section E – State and Commonwealth Interests

# Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The planning proposal was referred to the Rural Fire Service and the Biodiversity and Conservation Division of the NSW Department of Planning and Environment for preliminary consultation with no objections received.

Consultation with the Rural Fire Service will be formally undertaken following Gateway determination.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### PART 4 – Maps

The proposed LEP map layer amendment is: 6400\_COM\_RPL\_005B\_ [XXX\_XXXXXX]. The map will identify the part of the land subject to the planning proposal as Operational Land as indicted in the following figure:



PART 5 – Community consultation

Community consultation will be undertaken in accordance with the Gateway determination.

The planning proposal will be made available on the Port Stephens Council website.

A public hearing is required to be held following public exhibition.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### PART 6 – Project timeline

The planning proposal will be reported to Council following the completion of the public exhibition period. The following timetable is proposed:

Stage	Timeframe and/or date
Consideration by council	Aug 2022
Council decision	September 2022
Gateway determination	October 2022
Pre-exhibition	November 2022
Commencement and completion of public exhibition period	November 2022
Public hearing	December 2022 Notice of the Public Hearing is required for 21 days prior the Public Hearing forum.
Consideration of submissions	January 2022
Post-exhibition review and additional studies	February 2022
Submission to the Department for finalisation	March 2023
Gazettal of LEP amendment	April 2023

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

# Attachment 1 – Response to Planning Practice Note PN 16-001 – Classification and reclassification of public land through a local environmental plan

All planning proposals classifying or reclassifying public land must address the following matters for Gateway consideration.

Item	Comment
The current and proposed classification of the land.	The subject land is currently classified as Community Land and is proposed to be reclassified to Operational Land under the provisions of the Local Government Act 1993 (NSW) (LG Act).
Whether the land is a 'public reserve' (defined in the LG Act).	The land is not a public reserve as per the meaning of public reserve defined in the LG Act.
The strategic and site specific merits of the reclassification and evidence to support this.	The proposed reclassification of the subject land from Community Land to Operational Land has significant strategic merit as it is consistent with the SP2 Infrastructure (School/Child care centre) land use zone, regional and local planning strategies, and the existing development on the site. The proposed reclassification of the land
	is limited and would reflect the existing use and infrastructure developed on the land. There is strong site specific merit for the proposal.
Whether the planning proposal is the result of a strategic study or report.	The proposed reclassification is not the result of a strategic study or report, but does reflect Council's long term intension to divest the land to the adjoining school, as reflected by the issuing of development consent for support infrastructure.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Whether the planning proposal is consistent with council's community plan or other local strategic plans.	The proposed reclassification is consistent with the Port Stephens Local Strategic Planning Statement (LSPS), as it will contribute to the retention of open space within the school's ownership, allowing for long term asset planning for healthy, active spaces for young people in accordance with Planning Priority 10 'Create people friendly spaces in our local centres where people can come together'.
	The proposed reclassification is also consistent with Port Stephens Community Strategic Plan (CSP), through its facilitation of St Philip's intended purchase of the land, contributing to the school's ability to continue deliver education services to the region in accordance with the CSP's intention to foster creative and active communities.
A summary of council's interests in the land, including:	The land is owned by Port Stephens Council.
<ul> <li>how and when the land was first acquired (e.g., was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution);</li> <li>if council does not own the land, the</li> </ul>	The land was first acquired by Council as part of a much larger land holding purchased by Council in the 1950s from the Commonwealth Government. Over the past 50 years Council has subdivided and developed this original land holding to generate funds to support Council to offer its services to the local community.
<ul> <li>In council does not own the land, the land owner's consent;</li> <li>the nature of any trusts, dedications etc.</li> </ul>	The land was classified as Community Land in 1993 when the LG Act 1993 was enacted. At this time Council did not to classify all land they owned, and the land defaulted to Community Land. However, it has been Council's intention to develop/sell the site, indicating Councils intention to dispose of this land rather than retain it for community purposes.
Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why.	There are a number of interests on the land, all of which are to be retained, being for access, water and sewer easements.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged).	The land is currently subject of a long term licence agreement and has been developed for the purposes of a car park with associated drainage and a sports field. It is currently not available for public open space.
Evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g., electronic title searches, notice in a Government Gazette, trust documents).	The Certificates of Title for Lots 21 and 23 DP 1044009 confirm the owner of the land as being Port Stephens Council, but do not indicate that the land is a public reserve.
Current use(s) of the land, and whether uses are authorised or unauthorised.	The part of the land subject to the planning proposal is currently used for car parking, associated drainage and part of the school sports field.
	Development Application 16-2016-770-1 was approved in June 2017 to permit the construction of a car park and playground extension.
	The car park was completed in 2019 for the benefit of the school.
Current or proposed lease or agreements applying to the land, together with their duration, terms, and controls.	A licence agreement was issued by Council in July 2016 for a 21-year period for the 'Construction and maintenance of an area for car parking and playing fields'.
	The licence and Development Application 16-2016-770-1 apply to the school site as well as the Council-owned subject site.
Current or proposed business dealings (e.g., agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time).	Council's intention is to commence commercial negotiations with St Philip's Education Foundation Pty Ltd, immediately following the reclassification of the land, with the intent to agree on the acquisition and transfer of the land.
Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy).	The planning proposal is not associated with a rezoning. The existing zoning of SP2 Infrastructure (School/Child care centre) is appropriate for the current and future proposed use.

# ITEM 6 - ATTACHMENT 1 PLANNING PROPOSAL 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

The reclassification will facilitate the excise of the land from the balance of the lot and the acquisition of this land by the school.	
As per Council's resolution of On 28 September 2021, the proposed reclassification process is being undertaken by the proponent at no cost to Port Stephens Council.	
Not considered to be relevant in this instance. The reclassification is to facilitate an existing use of the site which supports the operation of the school on the adjoining lot, and is subject to a 20 year plus lease for car parking and playing fields. There is no intention to create public open space within this subject portion of land.	
Indicative part lot mapping is shown in Part 4 Maps of this planning proposal. An indicative LEP map is at Figure 6 Indicative LEP Map.	
The site formed part of a larger lot in 1950 when Council acquired the land from the Commonwealth in 1950.	

ITEM 6 - ATTACHMENT 2 LOCALITY PLAN 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



## STRATEGIC PLANNING ASSESSMENT REPORT (SPAR)

Application No.	58-2022-4-1
Applicant Name	Barr Property and Planning Pty Ltd (for St Philip's Christian College)
Applicant Address	PO Box 96 CARRNINGTON NSW 2294
Site Location Details	Part of 100 and 174A Salamander Way, Salamander Bay (part of Lot 21 DP 1044009 and Lot 23 DP 1044009)
Proposal Summary	Reclassify the subject land from Community to Operational land. Retain SP2 Infrastructure (School/Child Care Centre) zone



Page 1 of 9

### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



Page 2 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.



Planning Proposal Assessment

Assessment		
Department of Planning Guide to preparing planning proposals		
The statement of objectives or intended outcomes of the proposed instrument is adequate.		
The planning proposal adequately explains the provisions that are proposed to be included in the draft instrument.		
The justification provided for the objectives, outcomes and provisions of the proposed instrument, and whether it will give effect to, or is a product of, the local planning statement, is considered to be appropriate.		
Section A – Need for the planning proposal		
The planning proposal is not the result of an endorsed local strategic planning statement, strategic study or report.		
The planning proposal is the best means of achieving the objectives or intended outcomes.		
Section B – Relationship to strategic planning framework		
The planning proposal gives effect to applicable regional, or district plan or strategies.		
Merit		
The planning proposal is consistent with the HRP.		
The planning proposal is consistent with the GNMP.		
The planning proposal gives effect to the relevant LSPS or endorsed local strategy.		
The planning proposal is not responding to a change in circumstances.		

Page 3 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Information	Assessment
Site-Specific Merit	
Does the proposal have site-specific merit, having regard to the natural environment (including known significant environmental values, resources or hazards)?	The proposal has site-specific merit, having regard for the natural environment. The subject land is already developed for the purposes of car parking and sports fields in support of the school.
Does the proposal have site-specific merit, having regard to the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal?	The planning proposal has site-specific merit having regard for existing and future land uses of the land and within proximity to the land.
Does the proposal have site-specific merit, having regard to the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision?	The proposal has site-specific merit, having regard for the provision of services and infrastructure.
Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?	The planning proposal gives effect to the relevant LSPS or endorsed local strategy.
Is the planning proposal consistent with relevant precinct plan(s) (including structure plans and master plans and any exhibited draft plan(s))	There are no applicable precinct plans.
Is the planning proposal consistent with relevant Council strategy (or strategies) endorsed by the NSW Department of Planning, Industry and Environment, including an endorsed local strategic planning statement.	The planning proposal is consistent with the relevant council strategy.
Is the planning proposal consistent with the Local Housing Strategy?	The LHS is not applicable.
Is the planning proposal consistent with a relevant local area strategy	There is no applicable local area strategy.

Page 4 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### SEPP ASSESSMENT

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

SEPP	Overview	Assessment
SEPP (Resilience and Hazards) 2021 Chapter 4 Remediation of Land	Contains state-wide planning controls for the remediation of contaminated land. The policy requires councils to be notified of all remediation proposals and requires lodgement of information for rezoning proposals where the history of use of land is unknown or knowledge incomplete.	The site does not contain contaminated land/potentially contaminated land. The information lodged for the proposal demonstrates consistency with the SEPP.
SEPP (Resilience and Hazards) 20201 Chapter 2 Coastal Management	Promotes an integrated and co-ordinated approach to land use planning in the coastal zone consistent with the objects of the Coastal Management Act 2016 (NSW).	The LEP amendment proposal relates to land identified within the Coastal Zone combined footprint. The information lodged for the proposal demonstrates consistency with the SEPP.
SEPP (Transport and Infrastucture) 2021 Chapter 3 Educational Establishments and Child Care Facilities	The policy aims to facilitate the effective delivery of educational establishments and early education and care facilities.	The LEP amendment proposal relates to educational establishments and child care facilities. The subject land is already developed for the purposes of car parking and sports fields in support of the school.
SEPP (Biodiversity and Conservation) Chapter 4 Koala Habitat Protection	Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.	The site does not comprise koala habitat. The information lodged for the proposal demonstrates consistency with the SEPP.

Page 5 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### MINISTERIAL DIRECTION ASSESSMENT

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Ministerial Direction		Overview	Assessment		
1.	PLANNING SYSTEMS				
1.1	Implementation of Regional Plans	Requires that planning proposals be consistent with relevant regional strategies released by the Minister for Planning, except where, in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate); the inconsistency is considered to be of minor significance and the intent of the strategy is not undermined.	The Hunter Regional Plan 2036 (HRP) applies to the LEP amendment proposal. The LEP amendment proposal will support the continued long- term operation of the school. The LEP amendment proposal is consistent with this direction.		
3.	BIODIVERSITY AND CONSERVATION				
3.1	Conservation Zones	Applies to all planning proposals. Provides for the protection and conservation of environmentally sensitive areas, by ensuring that planning proposals do not reduce the environmental protection standards applying to such land unless it is suitably justified by a relevant strategy or study or is of minor significance in the opinion of the Secretary of the NSW Department of Planning and Environment (or nominated delegate).	The LEP amendment proposal will not affect environmentally sensitive areas and does not apply to land within an environmental protection zones. The land is zoned SP2 Infrastructure (School/Child care centre) and is already developed for the purposes of car parking and sports fields in support of the school. The LEP amendment proposal is consistent with this direction.		
3.2	Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The site is not located in the vicinity of State or local heritage items. Aboriginal sites and places were not identified on a Basic AHIMS search. The area proposed for reclassification is already developed for the purposes of a car park and playing field. The information lodged for the proposal demonstrates consistency with this direction.		

Page 6 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Mini	sterial Direction	Overview	Assessment		
4.	RESILIENCE AND HAZARDS				
4.2	Coastal Management	Applies to land within a coastal zone, as defined in the <i>Coastal</i> <i>Management Act 2016</i> . The direction seeks to protect and manage coastal areas of NSW. Proposals must include provisions that give effect to and are consistent with the objects of the <i>Coastal</i> <i>Management Act 2016</i> , the Coastal Management Manual and Toolkit, Coastal Design Guidelines and any relevant Coastal Management Program certified by the Minister.	The land is partially within the 'Coastal Wetlands' area and the 'Proximity Area for Coastal Wetlands' under the SEPP (Coastal Management) 2018. The planning proposal is to reclassify of the subject site and is already developed for the purposes of car parking and sports fields in support of the school. The proposal is consistent with this direction.		
4.3	Planning for Bushfire Protection	Applies requirements for planning proposals affecting land mapped as being bushfire prone land (or land in proximity to such land); except where the Commissioner of the NSW Rural Fire Service has issued written advice to Council that, notwithstanding the non- compliance with the requirements; the NSW Rural Fire Service does not object to progression of the planning proposal.	The LEP amendment proposal relates to land in proximity to bushfire prone land. The site is already developed for the purposes of a car park and playing field. Preliminary consultation advice from the NSW Rural Fire Service (RFS) advises of no objection to the planning proposal. Further consultation with the RFS may be required following a Gateway determination. The information lodged for the proposal demonstrates consistency with the direction.		
4.5	Acid Sulfate Soils	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	The land is mapped as having Class 3 Acid Sulfate Soils on the relevant LEP Map. The planning proposal does not propose an intensification of land uses. The planning proposal is consistent with this direction.		

Page 7 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

Information	Assessment
Section C – Environmental, social and eco	nomic impact
<b>Q7.</b> 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	There is no critical habit or threatened species, populations or ecological communities or their habitats located on the site.
proposal?	The site is already developed for the purposes of car parking and sports fields in support of the school.
Q8. Are there any other likely environmental effects as a result of the planning proposal	There are no likely environmental effects as a result of the planning proposal.
and how are they proposed to be managed?	The site is already developed for the purposes of car parking and sports fields in support of the school.
<b>Q9.</b> Are there any likely social and economic effects as a result of the planning proposal?	There will likely be positive social and economic effects as a result of the planning proposal. The site is already developed for the purposes of car parking and sports fields in support of the school. The proposed reclassification will enable the potential sale of the land.
Section D – State and Commonwealth inte	rests
<b>Q10.</b> Is there adequate public infrastructure for the planning proposal?	There is adequate public infrastructure for the planning proposal.
Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?	Preliminary consultation advice from the NSW Rural Fire Service (RFS) advises of no objection to the planning proposal. Further consultation with the RFS is required following a Gateway determination.
Part 4 – Maps containing sufficient detail to indicate the substantive effect of the planning proposal.	The maps included in the planning proposal adequately identify the substantive effect of the planning proposal.
Part 5 – Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument	The community consultation detailed in the planning proposal is considered appropriate. This includes public exhibition and an independently chaired public hearing following public exhibition.
Part 6 – Projected timeline of the plan making process	The projected timeline as detailed in the planning proposal is considered appropriate.

Page 8 of 9

#### ITEM 6 - ATTACHMENT 3 STRATEGIC PLANNING ASSESSMENT REPORT 100 AND 174A SALAMANDER WAY, SALAMANDER BAY.

#### TECHNICAL CONTENT ASSESSMENT

Assessment of technical information

Supporting plans and studies	Assessment
Site specific DCP	Not required to support the planning proposal.
Traffic impact assessment	Not required to support the planning proposal.
Bushfire hazard assessment	Not required to support the planning proposal.
Air quality assessment	Not required to support the planning proposal.
Flora and fauna assessment	Not required to support the planning proposal.
Geotechnical assessment	Not required to support the planning proposal.
Stormwater management analysis	Not required to support the planning proposal.
Flood impact assessment	Not required to support the planning proposal.
Contamination assessment	Not required to support the planning proposal.
Economic sensitivity analysis	Not required to support the planning proposal.
Heritage impact assessment	Not required to support the planning proposal.
Social impact assessment	Not required to support the planning proposal.
Infrastructure capacity analysis	Not required to support the planning proposal.
Other	An independently chaired public hearing will be required following public exhibition of the planning proposal.

#### RECOMMENDATION

Based on the information lodged with the rezoning request, the planning proposal is considered to have sufficient merit to proceed to Gateway.

Page 9 of 9