



IRF23/582

Gateway determination report – PP-2022-3152

Watagan Park Town Centre

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal	1
1.1	Overview	1
1.2	Objectives of planning proposal	1
1.3	Explanation of provisions	2
1.4	Site description and surrounding area	2
1.5	Mapping	4
1.6	Background	7
2	Need for the planning proposal	7
3	Strategic assessment	8
3.1	Hunter Regional Plan 2041	8
3.2	Greater Newcastle Metropolitan Plan 2036	10
3.3	Local	12
3.4	Section 9.1 Ministerial Directions	13
3.5	State environmental planning policies (SEPPs)	15
4	Site-specific assessment	15
4.1	Environmental	15
4.2	Social and economic	16
4.3	Infrastructure	16
5	Consultation	16
5.1	Community	16
5.2	Agencies	16
6	Timeframe	17
7	Local plan-making authority	17
8	Assessment summary	Error! Bookmark not defined.
9	Recommendation	17

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Watagan Park Planning Proposal Urban Design Report Issue 2 – AJ+C 29 August 2022
Lake Macquarie City Council Development Control Plan 2014 Part 12 – Precinct Area Plans – North Cooranbong
Strategic Bushfire Study (V2 Final) - MDJ Environmental August 2022
Assessment of Contamination plus Supplementary Per- and Poly-fluoroalkyl Substances (PFAS) Assessment - EP Risk 28 July 2022
Traffic Advice on Planning Proposal of Proposed Increased Lot Yield - McLaren Traffic Engineering 20 February 2022
Supplementary Traffic Advice for Watagan Park Town Centre Planning Proposal at 35 McCullough Street Cooranbong - McLaren Traffic Engineering July 2022

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Lake Macquarie City Council
PPA	Lake Macquarie City Council
NAME	Watagan Park Town Centre (637 homes, 80 jobs)
NUMBER	PP-2022-3152
LEP TO BE AMENDED	<i>Lake Macquarie Local Environmental Plan 2014</i>
ADDRESS	35 McCullough Street and 30 Maguire Drive, Cooranbong
DESCRIPTION	Part Lot 8450 DP 1250919 and Part Lot 236 DP 1273921
RECEIVED	22/02/2023
FILE NO.	IRF23/582
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The objectives of the planning proposal are to diversity of housing types and densities in the Watagan Park Town Centre and reflect the location of approved parks, roads and development pattern. This will be implemented through an amendment to the *Lake Macquarie Local Environmental Plan 2014*.

The intended outcomes of the planning proposal are:

- enable a mix of dwelling densities and types in the town centre;
- enable increased densities in areas with good amenity and walkable access to facilities and services;
- contribute to the viability and vibrancy of the town centre;
- ensure zone boundaries reflect approved parks, roads and surrounding development interfaces;
- support good quality urban design outcomes with appropriate transition from low to high density; and
- ensure the additional population can be accommodated within the existing planned capacity of the road network, community and recreational facilities.

The objectives of this planning proposal are clear and adequate. The proposal is consistent with and implements the Precinct Area Plan for North Cooranbong as set out in the *Lake Macquarie Development Control Plan (DCP) 2014* for the town centre.

1.3 Explanation of provisions

The planning proposal seeks to amend the *Lake Macquarie Local Environmental Plan 2014* as per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	R2 Low Density Residential, R3 Medium Density Residential, B4 Mixed Use and RE1 Public Recreation zones.	Zone boundaries have been amended to reflect boundaries of approved parks, roads and development pattern and adopt new E1 Local Centre zone.
	Maguire Drive – <ul style="list-style-type: none"> R2 Low Density Residential B1 Neighbourhood Centre. 	Maguire Drive – <ul style="list-style-type: none"> R3 Medium Density Residential RE1 Public Recreation E1 Local Centre.
	McCullough Street - <ul style="list-style-type: none"> RE1 Public Recreation R3 Medium Density Residential B4 Mixed Use. 	McCullough Street - <p>Boundaries of zones adjusted to include roads and ensure the park is bounded by roads on all sides. New MU1 Mixed Use Zone adopted for B4 Mixed Use.</p>
Maximum height of the building	For the town centre, building heights are 10m for R3 Medium Density Residential Zone and 13m for the B4 Mixed Use zones.	For the proposed town centre, building heights have been extended to 23m for the R3 Medium Density and MU1 Mixed Use Zones.
Minimum lot size	Reflect current zone boundaries	Minimum lot sizes amended to reflect zone boundary amendments
Number of dwellings	318	955
Number of jobs	32	112

From 26 April 2023, B1 Neighbourhood Centre has become E1 Local Centre and B4 Mixed Use has become MU1 Mixed Use in the Standard Instrument Local Environmental Plan.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The Watagan Park Town Centre site is located in Cooranbong five kilometres north from Morisset. The vegetation cover has been partially cleared by past uses with only scattered vegetation remaining. It includes part of a former airstrip.

The smaller site located to the west adjoins existing and developing low density residential neighbourhoods. This is a proposed neighbourhood centre and park.

The second larger site to the east is the proposed town centre, which is proposed to include medium density residential development surrounding a mixed use town centre and 1.3 hectare park.

The majority of the surrounding land has been developed or is proposed to be developed for low density residential housing. To the east of the proposed main town centre is Avondale School.

There is road access to the Pacific Motorway six kilometres to the south at Morisset and ten kilometres northeast at Palmer and Cessnock Roads.

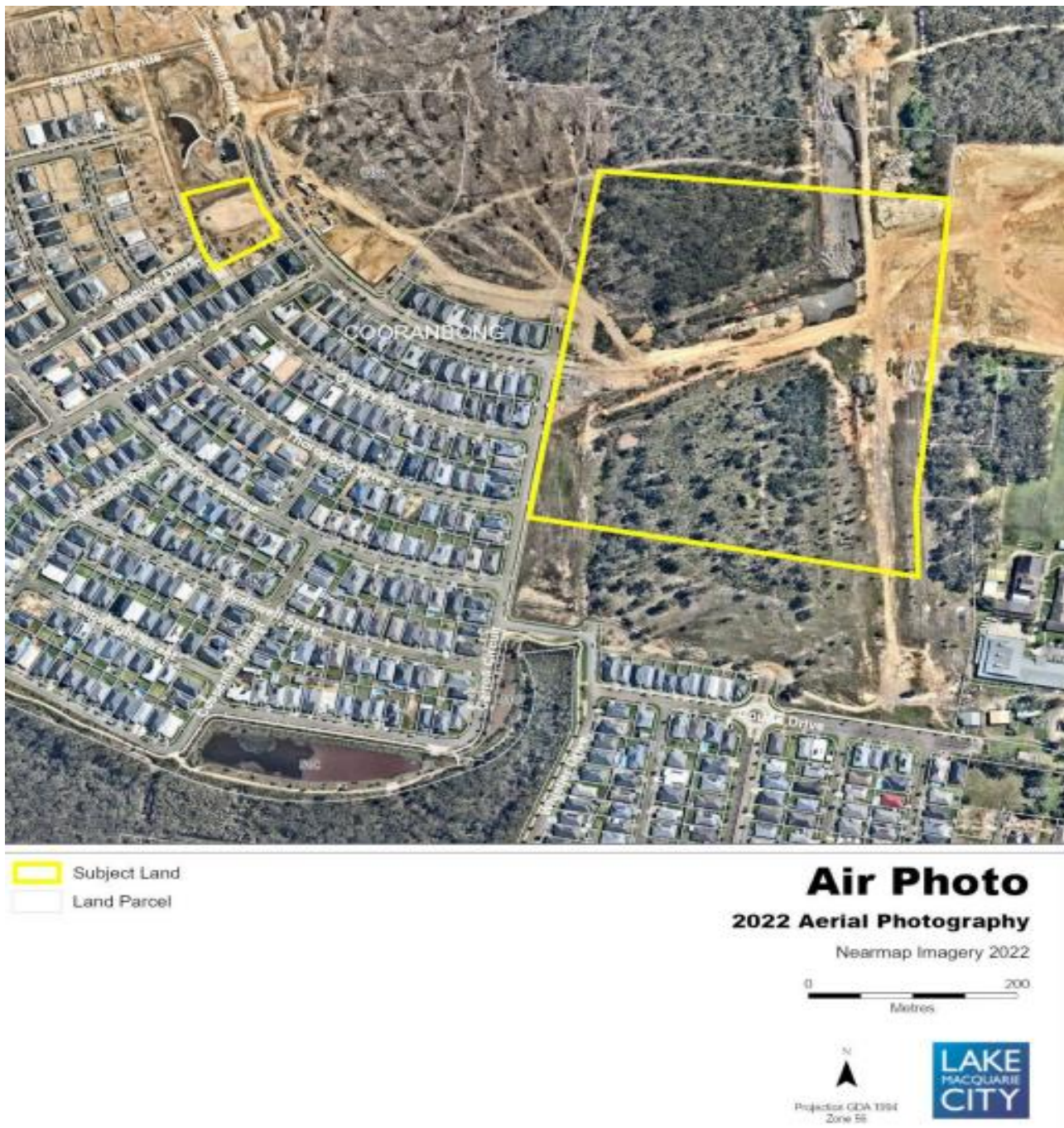


Figure 1 Site (source: Planning Proposal)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the Lake Macquarie *Local Environmental Plan 2014*, including Land Zoning, Height of Buildings and Lot Size maps.

However, while the legend includes the new E1 Local Centre and MU1 Mixed Use Zones for the proposed land zoning changes, the labels on the map do not reflect this. The proposed Land Zoning Map should be amended to show the proposed new zones for community consultation.

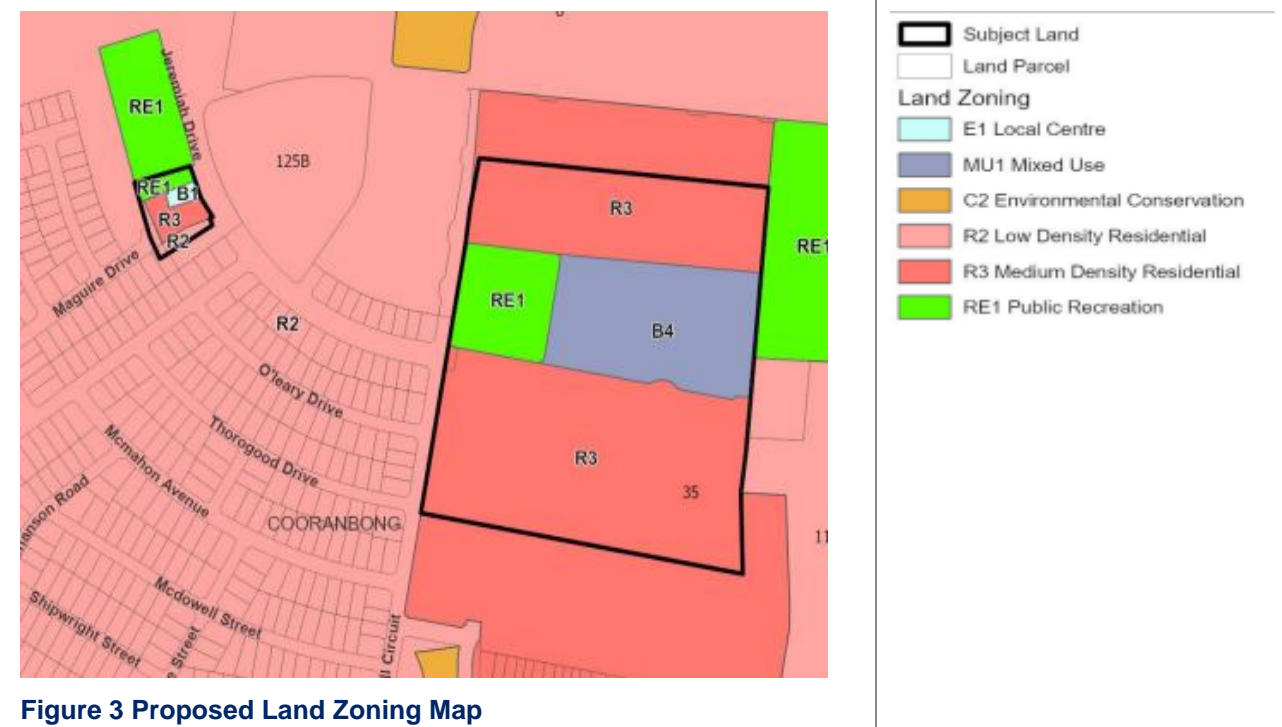
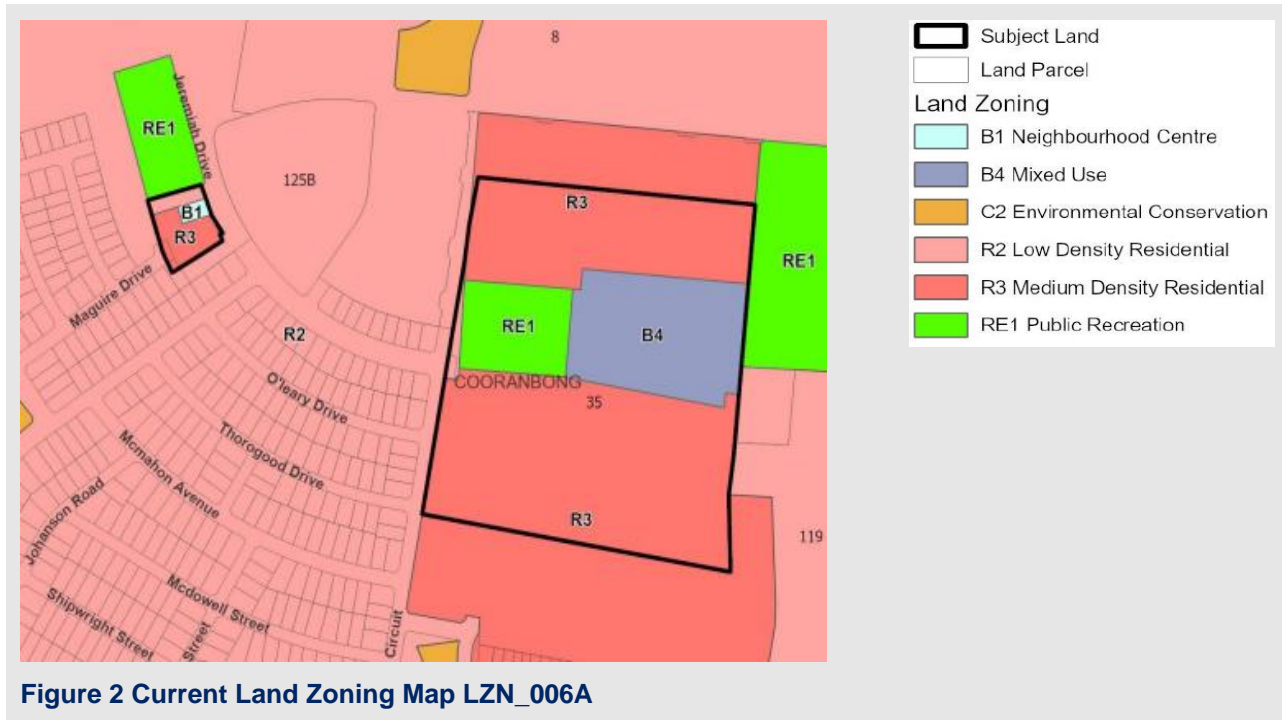




Figure 4 Current Height of Buildings Map HOB_006A



Figure 5 Proposed Height of Buildings Map



Figure 6 Current Lot Size Map LSZ_006A



Figure 7 Proposed Lot Size Map

1.6 Background

The land is part of the North Cooranbong Urban Release Area and is subject to a NSW Government concept approval issued in 2008. Various development approvals have been issued since for surrounding low density residential development that has been developed or are in progress.

2 Need for the planning proposal

The planning proposal is seeking to implement the North Cooranbong Precinct Area Plan identified in the *Lake Macquarie Development Control Plan 2014*. Cooranbong is also a supporting local centre for the Morisset Regionally Significant Growth Area identified in the *Hunter Regional Plan 2041*.

Cooranbong, along with Morisset and Wyee, are identified as opportunities for growth in the *Lake Macquarie City Local Strategic Planning Statement* as part of the South West Growth Area. Specifically, the Cooranbong local centre is identified as an opportunity for enhanced amenity and the provision of a range of housing types.

A planning proposal is the best means of increasing the development standards and the only means of amending zone boundaries.

3 Strategic assessment

3.1 Hunter Regional Plan 2041

The *Hunter Regional Plan 2041* acknowledges the Hunter contains many different communities, each of which will see the 15-minute neighbourhood take a different shape. The site's local centre setting means it has a general urban context.

Table 4 Hunter Regional Plan 2041 assessment

Hunter Regional Plan 2041 section	Justification
<p>Strategy 3.1: Planning proposals that propose a residential, local centre or commercial centre zone will not prohibit the following land uses within urban core, general urban, inner suburban and general suburban contexts:</p> <ul style="list-style-type: none"> • business premises • restaurants or cafes • take-away food and drink premises • neighbourhood shops and supermarkets • educational establishments • early education and care facilities • health services facilities • markets • community facilities • recreation areas. 	<p>Both the R2 Low Density Residential zone and the R3 Medium Density Residential zone in the <i>Lake Macquarie Local Environmental Plan 2014</i> prohibit the following land uses:</p> <ul style="list-style-type: none"> • business premises • restaurants or cafes • takeaway food and drink premises • neighbourhood supermarkets • educational establishments • early education and care facilities • health services facilities • markets. <p>As such, the planning proposal is inconsistent with the strategy.</p> <p>The E1 Local Centre and MU1 Mixed Use zones permit these land uses and it is anticipated the local services and amenities will be concentrated to the town centre and local centre to create vibrant community hubs.</p> <p>An assessment against the relevant performance outcomes and indicators for Objective 3 has not been provided. Therefore, a view has not been able to be formed as to the proposal's consistency.</p>

Hunter Regional Plan 2041 section	Justification
<p>Strategy 3.2: Planning proposals will incorporate:</p> <ul style="list-style-type: none"> a small neighbourhood centre if the proposed residential yield exceeds 1,500 dwellings: or a large neighbourhood centre if the proposed residential yield exceeds 4,000 dwellings. <p>The neighbourhood centre will:</p> <ul style="list-style-type: none"> support a floor area informed by a local retail demand analysis. the neighbourhood centre will have enough developable area to accommodate the uses over one level with at grade parking to reduce costs. 	<p>The North Cooranbong Area Plan estimates up to 3,000 dwellings and the planning proposal includes a small neighbourhood centre and a larger mixed use local centre.</p> <p>The development is largely approved and subject to planning agreements (both State and Council) and were in place prior to the need for a demand analysis to be undertaken.</p> <p>The planning proposal sets out the population increase does increase the demand for facilities and services. However, this demand does not impact on the need for local facilities beyond what is planned within the Morisset Catchment Contributions Plan. The demand generated through this planning proposal does also not affect the contributions required under the State planning agreement.</p> <p>The urban design report accompanying the planning proposal shows the town centre is at ground level with car parking also provided at ground level. As such, the location and design of the town centre is consistent with the strategy and maximises its convenience for the vast majority of residents of which it serves.</p>
<p>Strategy 5.3: Planning proposals will not prohibit the following housing typologies within residential zones that apply to urban core, general urban, inner suburban and general suburban contexts:</p> <ul style="list-style-type: none"> attached dwellings boarding houses dual occupancies group homes multi dwelling housing secondary dwellings semi-detached dwellings. 	<p>The R2 Low Density Residential zone does not permit multi-dwelling housing under the <i>Lake Macquarie Local Environmental Plan 2014</i>.</p> <p>The R3 Medium Density Residential zone does not permit dual occupancies and semi-detached dwellings under the <i>Local Environmental Plan 2014</i>.</p> <p>The planning proposal is not consistent with the strategy.</p> <p>An assessment against the relevant performance outcomes and indicators for Objective 5 has not been provided. Therefore, a view has not been able to be formed as to the proposal's consistency.</p>
<p>Strategy 8.2: Planning proposals will accommodate new commercial activity in existing centres and main streets unless it forms part of a proposed new community or is an activity that supports a 15-minute neighbourhood.</p>	<p>The planning proposal is consistent with the Strategy.</p> <p>The E1 Local Centre and MU1 Mixed Use zones permit a broad range of land uses, which reinforces the 15-minute neighbourhood.</p> <p>Mixed use land zonings are also considered to facilitate a mixture of residential, commercial, retail and residential land uses that complement communities and centres, often based on market demand and investment confidence (rather than single land use zone boundaries).</p>

3.1.1 Optimal Density

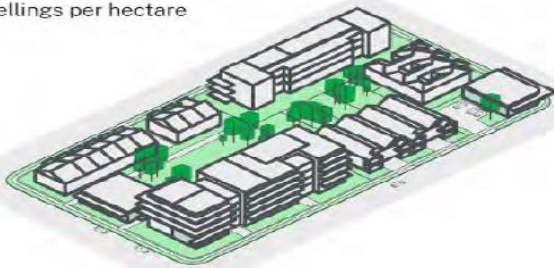
Housing needs to be planned in a way that meets varied and changing needs of people across their life, in areas where residents can access public transport, public open space and services, such as established towns and neighbourhoods.

The regional plan is seeking a mix of densities in terms of the urban and suburban context, and has proposed minimum and desired dwelling density targets within urban and suburban contexts that will be implemented through local strategic planning. As such, this optimal density is not mandated for planning proposals.

For this site as a general urban context, the optimal density being sought by the regional plan is 50 dwellings per hectare. If the proposal is within 800m of high frequency public transport, the optimal density is 75 dwellings per hectare.

General Urban Context

50 Dwellings per hectare



General Urban Context

75 Dwellings per hectare
(within 800m of transit)

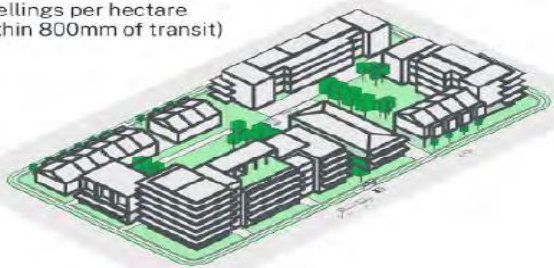


Figure 8 Optimal density in the Hunter Regional Plan 2041

The urban design report supporting the planning proposal sets out that the town centre will include a built form ranging from three to six storeys, including shop top housing and residential flat buildings. This is balanced by ensuring the scale of buildings creates a number of transition zones. The planning proposal intends to enable stepped down densities of one to two storey, including low rise apartments, townhouses and small lot detached housing. This range of densities allows for a range of housing choice and developments.

The building heights are counter to the intent of the *Hunter Regional Plan 2041*, which identifies a focus on building typologies of between two and four stories. The regional plan is seeking to promote more human-scale built forms with building typologies of low to mid-rising housing.

Nevertheless, the proposal as outlined in the urban design report does demonstrate consistency with the urban form sought in the regional plan. As such, a greater concern would exist if the planning proposal was intending an urban outcome substantially below the optimal density. Consequently, the Department is supportive of building heights greater than four stories.

3.2 Greater Newcastle Metropolitan Plan 2036

The site is within the 'metro frame' area of the *Greater Newcastle Metropolitan Plan 2036*. The locality is identified as a 'housing release area'. The Plan contains strategies and actions to guide planning and development of the area.

The planning proposal is consistent with the relevant strategies and actions as outlined below.

Table 4 Greater Newcastle Metropolitan Plan 2036 assessment

Strategy	Action	Justification
Strategy 8 <i>Address changing retail consumer demand</i>	8.1 Greater Newcastle councils will: <ul style="list-style-type: none"> to enable diversity of uses in larger retail centres including housing, offices and recreation and adapt to changing retail activities align local plans undertake public domain improvements to respond to the Movement and Place framework (an integrated land use and transport planning tool used by the NSW Government to improve the liveability of places). 	<p>The town centre is currently zoned B4 Mixed Use which will become MU1 Mixed Use which enables a broad range of retail, commercial and housing types.</p> <p>The increased building height will enable a greater density and diversity of housing that will positively contribute to the vibrancy and amenity of the town centre.</p> <p>The urban design report supporting the planning proposal identifies an east west green spine linking the local centre and park in the west through the town centre and park to the recreational fields in the east. It will also reinforce physical and visual open space links to natural areas in the north and south.</p> <p>The proposed increased building heights also provide the critical mass of activity required for a town centre, along with providing choice and diversity in housing.</p>
Strategy 10 <i>Create better buildings and great places</i>	10.1 Greater Newcastle councils will: <ul style="list-style-type: none"> improve amenity of centres and urban renewal corridors through placemaking initiatives that strengthen the connection between people and the places they share enhance the design quality of the built environment by implementing the Design Objectives for NSW in local plans and developing local character statements for centres and urban renewal corridors undergoing renewal and revitalisation 	<p>The planning proposal is supported by an urban design report that includes an east-west open space link through the town centre and proposes building design and transition of scale from existing low density up to six storey residential flat buildings adjoining the town centre.</p> <p>The urban design report also sets out that the east-west green spine creates a high quality neighbourhood by:</p> <ul style="list-style-type: none"> contributing to the walkability of the neighbourhood increasing the legibility of the town centre as a distinct area providing a landscape buffer between detached housing areas and the town centre.
Strategy 11 <i>Create more great public spaces where people come together</i>	11.1 Greater Newcastle councils with support from the Department of Planning and Environment, will: <ul style="list-style-type: none"> create and activate public spaces in the strategic centres that are suitable for community events like markets, festivals, commemorations and assemblies enhance community access to sporting, recreational, cultural and community services and facilities 	<p>The urban design report proposes a 1.3 hectare park on the western edge of the town centre bounded by public streets. This will be easily accessible to the community and be able to provide opportunities for community activities. The park includes a district level playground, toilet, picnic and BBQ facilities, and pathways and landscaped areas.</p> <p>The town centre will also include a tree-lined retail path providing activation opportunities with shopfronts, and a semi-public town square.</p>

Strategy 12
Enhance the Blue and Green Grid and the urban tree canopy

12.1 Greater Newcastle councils with support from the Department of Planning and Environment, will:

- improve access to open space, recreation areas and waterways so that 90% of houses are within a 10-minute walk of open space
- enhance Greater Newcastle's Blue and Green Grid by implementing the Green Infrastructure Outcomes of the Greener Places policy to integrate water sensitive urban design principles in local plans
- make a cooler Greater Newcastle by greening urban areas, buildings, transport corridors and open spaces to enhance the urban forest


Considering the urban design report it is calculated that more than 90% of the medium density residential development will be within 400m of the town centre, park and recreation areas.

A number of shared pathways are proposed that provide access to and from the two centres and parks, the existing and proposed school and the recreation areas in the east.

3.3 Local

The planning proposal is consistent with the following local plans and endorsed strategies, as stated in the table below:

Table 5 Local strategic planning assessment

Local Strategies	Justification
Lake Macquarie City Local Strategic Planning Statement	<p>The Watagan Park Planning Proposal Urban Design Report provides the opportunity for Council to implement this action for the Cooranbong town centre.</p> <p>Cooranbong is a local centre in the context of this area (see Figure 9) and this planning proposal will help council implement the following actions:</p> <ul style="list-style-type: none"> • The vibrancy of the local centre is enhanced with more intensive development to increase services to cater for the growing population • Additional residential areas support housing choice through development of a range of housing types, close to local centres <p>The planning proposal is considered to be consistent with this strategy.</p>  <p>Figure 9 South West Growth Area</p>

Let's Thrive – Lake Macquarie Housing Strategy 2021

Action 3.3 Investigate and implement changes to Council's Local Environmental and Development Control Plans to remove barriers to infill and medium density development in highly liveable locations through:

- *Increasing height limit for the R3 Medium Residential zone and B1 Local Centre zone to better accommodate residential flat buildings*

The planning proposal seeks to increase the height of buildings from 13m to 23m in the town centre for the proposed MU1 Mixed Use zone and part of the R3 Medium Density Residential zone.

South West Growth Area

- *Housing release areas around Cooranbong and Wyee are completed.*

This planning proposal will enable achievement of this action.

The planning proposal is considered to be consistent with this strategy.

3.4 Section 9.1 Ministerial directions

The planning proposal's consistency with relevant section 9.1 Ministerial directions is discussed below:

Table 6 9.1 Ministerial direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	<p>The objective of this direction is to give legal effect to the vision, objectives and strategies in the <i>Hunter Regional Plan 2041</i>.</p> <p>The planning proposal includes an assessment against the <i>Hunter Regional Plan 2041</i>.</p> <p>As outlined in section 3.1 of this planning proposal is consistent with the <i>Hunter Regional Plan 2041</i>.</p>
4.3 Planning for Bushfire Protection	Consistency yet to be determined.	<p>The land is mapped as bushfire prone land. A strategic bushfire assessment has been prepared which concludes that the land can be developed for the proposed uses consistent with <i>Planning for Bushfire Protection 2019</i>.</p> <p>Consistency with the direction will be determined after consultation with NSW Rural Fire Service.</p>
4.4 Remediation of Contaminated Land		<p>The site has previously been identified as potentially contaminated.</p> <p>A preliminary site investigation report was prepared in 2017 and updated by a supplementary report also prepared for this planning proposal. The report concluded that contamination risk is low and the site can be developed for the proposed uses.</p> <p>Any contamination issues can be addressed through the development application process.</p>

5.1 Integrating Land Use and Transport	Consistent	<p>While the planning proposal makes only minor adjustments to zone boundaries it increases building heights and the potential density of housing next to employment and services.</p> <p>Car dependency will be reduced and the increased densities and attraction of the centre will support potential amplified public transport services. The area is currently serviced by a bus route into Morisset.</p>
5.2 Reserving Land for Public Purposes	Consistent	<p>Boundaries of open space will be adjusted to align with approved public parks. There will be an increase in the area of RE1 Public Recreation zone at the neighbourhood centre and minor adjustments in for the town centre.</p> <p>Any loss of open space is of minor significance and justified by the Precinct Area Plan for North Cooranbong and as required in a local planning agreement for the development.</p> <p>The Watagan Park development is subject to a local planning agreement. This is expected to include two local parks, a neighbourhood park, sports facility and dog exercise area, town common neighbourhood park and sports facility, multi-courts, multipurpose centre, shared pathways and road intersection upgrades.</p>
6.1 Residential Zones	Inconsistency justified	<p>The planning proposal will increase the potential for additional housing density by increasing building heights.</p> <p>Together with the urban design report the planning proposal will enable a broader range of housing types as the height and density of housing is transitioned from free standing housing to six storey residential flat buildings adjoining the town centre. This ensures the planning proposal will broaden housing choice, make efficient use of existing infrastructure and be of good design.</p> <p>There is a minor inconsistency due to part of the site being rezoned from R3 Medium Density Residential to R2 Low Density Residential. This is justified in terms of the direction.</p> <p>The area is identified as an Urban Release Area and clause 6.1 of <i>Lake Macquarie Local Environmental Plan 2014</i> will apply to ensure delivery of designated public infrastructure and clause 7.21 will ensure other necessary services and infrastructure are provided.</p>

7.1 Business and Industrial Zones	Consistent	<p>The planning proposal makes minor adjustments to the boundaries of the proposed MU1 Mixed Use zone in the town centre and the proposed E1 Local Centre zone in the smaller neighbourhood centre. This is to reflect the approved development, subdivision and road pattern.</p> <p>In total there is an overall increase in the extent of the employment zones.</p>
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3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 7 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Transport and Infrastructure 2021)	Will require consultation by developers with Council and certain public authorities.	Not Applicable	Will only become applicable for development applications.
SEPP (Resilience and Hazards) 2021	Chapter 4 – Remediation of Land	Not Applicable	<p>The SEPP is not directly relevant to planning proposals. However, a preliminary site investigation report has been prepared and updated. It concludes that the risk of contamination is low and the land can be developed for its intended purposes.</p> <p>Any contamination issues can be addressed at the development application stages.</p>
SEPP 65 (Apartment Design Guide)	Increased permissible height of buildings will enable residential apartment development.	Applicable	The urban design report states the proposal can be designed to be compliant with the SEPP. This needs to further be considered as part of a development application.

4 Site-specific assessment

4.1 Environmental

The land has already been significantly disturbed and cleared. There is also a concept approval (MP 07_0147) and clearing and biodiversity impacts have been considered under that approval.

A clause 34A *Certification Order under the Biodiversity Conservation (Savings and Transitional) Regulation 2017* has been issued. Therefore, the proposal will not adversely affect critical habitat or threatened species, populations or ecological communities or their habitats.

4.2 Social and economic

The planning proposal will have a number of social and economic benefits, including:

- additional population close to the centre will support its viability and put people closer to jobs and services;
- people will have the opportunity to walk and cycle to jobs and services reducing car dependency; and
- connected open space and recreation areas will provide a better urban design outcome with potential for trees to improve amenity and provide shade and cooling.

4.3 Infrastructure

Infrastructure and services are available to the land. A planning agreement has been negotiated between Council and the proponent that includes the provision of open space, sports facilities, shared pathways and road intersection upgrades.

There is also a separate planning agreement with the NSW Government for contributions to State road intersection upgrades. This planning agreement is based on a residential lot yield of 2,350 across the urban release area. The planning proposal states it is expected the proposal will increase the yield by 487 additional dwellings.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate and forms part of the conditions of the Gateway determination.

5.2 Agencies

The Council consulted NSW Government agencies in the pre-lodgement stage and as outlined in the planning proposal the following agencies provided comment:

- NSW Environment Protection Authority had no comments and did not require follow up consultation;
- Biodiversity Conservation Division confirmed the planning proposal was consistent with the current clause 34A *Certification Order* granted under the *Biodiversity Conservation (Savings and Transitional) Regulation 2017* and no further biodiversity assessment is required;
- Transport for NSW raised concerns about the capacity of the Freemans Drive/Patrick Drive intersection and that Council may wish to review its developer contributions. Council investigations have shown that funding from Federal and NSW Governments towards the affected intersections and the current State planning agreement will provide sufficient funds for required upgrades. It would be appropriate to further consult with Transport for NSW to seek its agreement that current funding arrangements are adequate;
- NSW Rural Fire Service advised that a bushfire risk assessment report should be provided. Council has prepared this report which concluded that the site could be developed in accordance with *Planning for Bushfire Protection 2019*. Council has still to consult with NSW Rural Fire Service to satisfy section 9.1 Ministerial direction 4.3 Planning for Bushfire Protection; and
- Schools Infrastructure NSW – growth will result in the need for additional school infrastructure. The dedication of a future school site is provided for in the State planning agreement. There

was also concern that walkability to schools would need to be improved. The school sites are within 400m of the sites where density increases are proposed, and footpaths and the east-west open space spine will provide opportunities to effectively service these schools and connect them with recreational facilities.

It is recommended the following agencies be consulted on the planning proposal and given 30 days to comment:

- NSW Rural Fire Service
- Transport for NSW.

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

Stage	Actions	Working Days
Post-Gateway	Review gateway, action conditions, prepare relevant studies and consult with government agencies prior to exhibition	70 days
Public exhibition and assessment	Undertake public exhibition and consultation with authorities, review of submissions and endorsement of proposal by the planning proposal authority	115 days
Finalisation	Finalisation of the local environmental plan, including legal drafting and gazettal	70 days
Total days		255 days

Accordingly, the Department recommends a timeframe of 12 months to ensure it is completed in line with its commitment to reduce processing times.

A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal is standard and consistent with the *Hunter Regional Plan 2041* and Council's Precinct Area Plan for North Cooranbong in *Lake Macquarie Development Control Plan 2014* the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Recommendation

It is recommended the delegate of the Secretary:

- note the consistency with section 9.1 Ministerial direction 4.3 Planning for Bushfire Protection is unresolved and consistency will be determined after consultation with NSW Rural Fire Service.

It is recommended the delegate of the Minister determine the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to public exhibition to:
 - remove all references to Hunter Regional Plan 2036; and
 - amend the "Proposed Land Use Zoning Map" to show new E1 Local Centre and MU1 Mixed Use Zones for the two centres.

2. Consultation is required with the following public authorities:
 - NSW Rural Fire Service
 - Transport for NSW.
3. The planning proposal should be made available for community consultation for a minimum of 28 days.
4. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
5. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.



(Signature)

8/5/2023

(Date)

Yasmin Campbell

Manager, Central Coast and Hunter Region



(Signature)

8/5/23

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