



IRF23/1560

Gateway determination report – PP-2023-745

Lake Macquarie Local Environmental Plan 2014 –
87 Oakdale Road, Gateshead

August 23

Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Gateway determination report – PP-2023-745

Subtitle: Lake Macquarie Local Environmental Plan 2014 –

87 Oakdale Road, Gateshead

© State of New South Wales through Department of Planning and Environment 2023. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (June 23) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

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	Previous planning proposal.....	2
1.5	Site description and surrounding area.....	3
1.6	Mapping.....	4
2	Need for the planning proposal	7
3	Strategic assessment	7
3.1	Hunter Regional Plan 2041	7
3.2	Greater Newcastle Metropolitan Plan 2036.....	8
3.3	Greater Newcastle Future Transport Plan 2018	10
3.4	Local Strategic Plans	11
3.5	Section 9.1 Ministerial directions.....	12
3.6	State environmental planning policies (SEPPs)	14
4	Site-specific assessment	15
4.1	Environmental.....	15
4.2	Social and economic.....	15
4.3	Infrastructure	15
5	Consultation.....	16
5.1	Community	16
5.2	Agencies.....	16
6	Timeframe	16
7	Local plan-making authority	17
8	Recommendation.....	17

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Aboriginal Cultural Heritage Assessment Report
Bushfire Report
Contamination/remediation action plan
Council report and resolution
Draft Planning Proposal
Flora and Fauna Report
Map of the applicable land area
Traffic report

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Lake Macquarie
NAME	Site Specific Rezoning
NUMBER	PP-2023-745
LEP TO BE AMENDED	<i>Lake Macquarie Local Environmental Plan 2014</i>
ADDRESS	87 Oakdale Road, Gateshead 2290
DESCRIPTION	Lot 100, DP717604
RECEIVED	8/06/2023
FILE NO.	IRF23/16233
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 enable a range of general industrial uses at 87 Oakdale Road, Gateshead by amending the *Lake Macquarie Local Environmental Plan 2014* (LEP) including:

- Amend the Land Zoning Map to rezone the site at 87 Oakdale Road Gateshead from C3 Environmental Management to E4 General Industrial.
- Amend the Lot Size Map from the existing 40 hectares to 1,500m². The amendment will allow lot sizes to be in accordance with the Lot Size map of the adjoining E4 General Industrial zoned land.
- Amend the Height of Buildings Map from the existing 5.5m to 15m. The amendment will allow the height light limits to be in accordance with the adjoining land zoned E4 General Industrial.

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal. The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

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

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	C3 Environmental Management	E4 General Industrial
Maximum height of the building	5.5m	15m
Minimum lot size	40 hectares	15,00m ²
Jobs	0	50

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

The site was a deferred matter site in the *Lake Macquarie Local Environmental Plan 2004*. The C3 Environmental Management zone was applied to the site in conversion to the standard instrument *Lake Macquarie Local Environmental Plan 2014*.

The current zoning was applied to the site based on its former agricultural use and its underlying 7A Environmental Protection (Scenic) zoning under previous Lake Macquarie Local Environmental Plan 1984. At the time the Environmental Protection (Scenic) Zone was applied as a major intersection was proposed between Oakdale Road and the now abandoned East Charlestown Bypass to the west of the site.

The 7A Environmental Protection (Scenic) Zone was applied to protect the scenic amenity of the proposed intersection. The East Charlestown Bypass is no longer proceeding and the site is therefore no longer considered a visually sensitive landscape.

1.4 Previous planning proposal

The site was subject to a previous planning proposal (PP-2021-623) which was issued a Gateway determination on 10 March 2021. The previous proposal also sought to rezone the site to the adjoining employment zone (which was previously IN2 Light Industrial), apply a maximum height of building of 15m and a minimum lot size of 1,500m².

The department issued a Gateway Alteration on 7 April 2022 for the planning proposal not to proceed, as the planning proposal was unable to progress to public exhibition since the Gateway determination was issued over the proceeding 12 months. At that time, it was noted additional site investigations are needed to address Aboriginal cultural heritage, contamination and bushfire matters.

The department's issuance of the Gateway alteration set out that this action was made not due to a lack of strategic merit of the planning proposal but rather that the timeframes set out in the Gateway determination were unable to be met.

1.5 Site description and surrounding area

The site located on 87 Oakdale Road, Gateshead, or Lot 100, DP717604, contains some vegetated areas towards the north east of the site, but otherwise is predominately cleared.

The site is adjoined to the north by deferred matter zoned land which is Council-owned and Crown Land. The site is adjacent E4 General Industrial Land to the west. The land to the south of the site is predominantly zoned RU6 Transition and partially C2 Environmental Conservation.

The land is constrained by topography, ecology, bushfire and would require significant investigation prior to being developed.

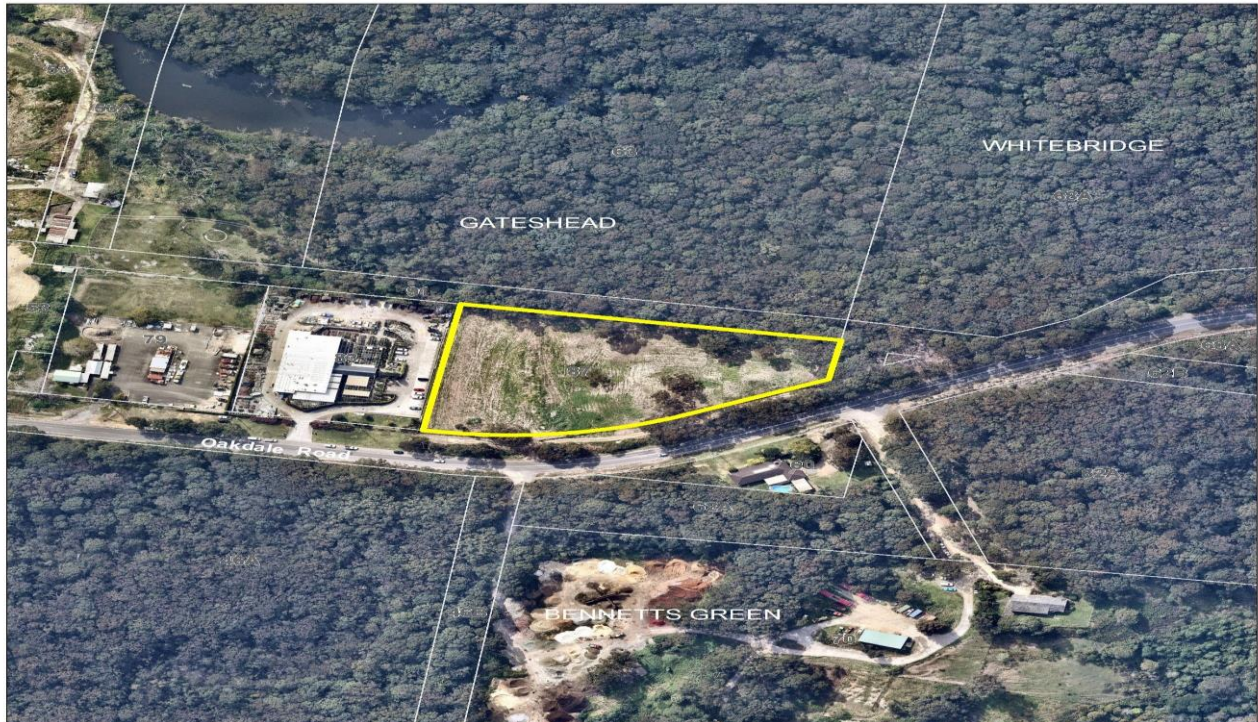


Figure 1 Subject site (source: Council Report)



Figure 2 Site context (source: NearMap)

1.6 Mapping

The planning proposal includes mapping showing the proposed changes to the Land Zoning, Minimum Lot Size and Height of Building maps, which are generally suitable for community consultation.

The maps should be updated to also consistently incorporate Oakdale Road, which is consistent with the adjoining land zoning.

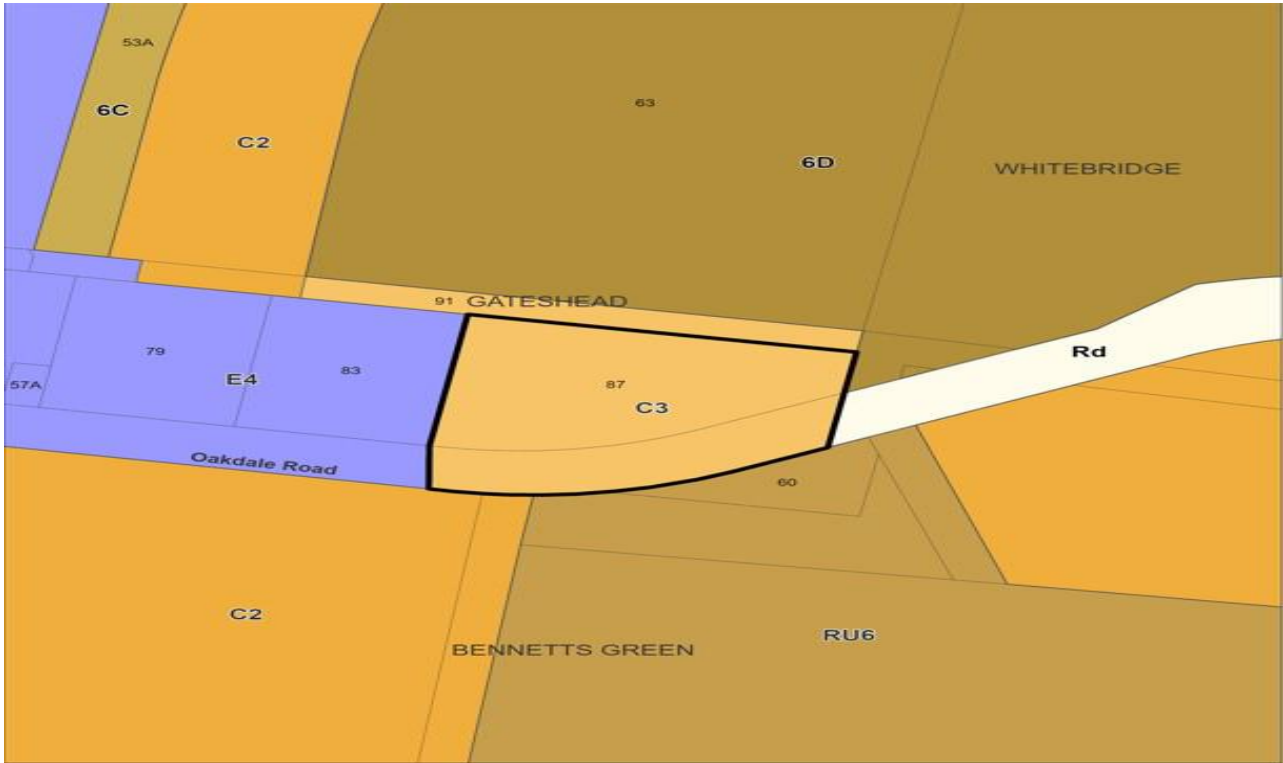


Figure 3 Current zoning map



Figure 4 Proposed zoning map



Figure 5 Current height of building map



Figure 6 Proposed height of building map

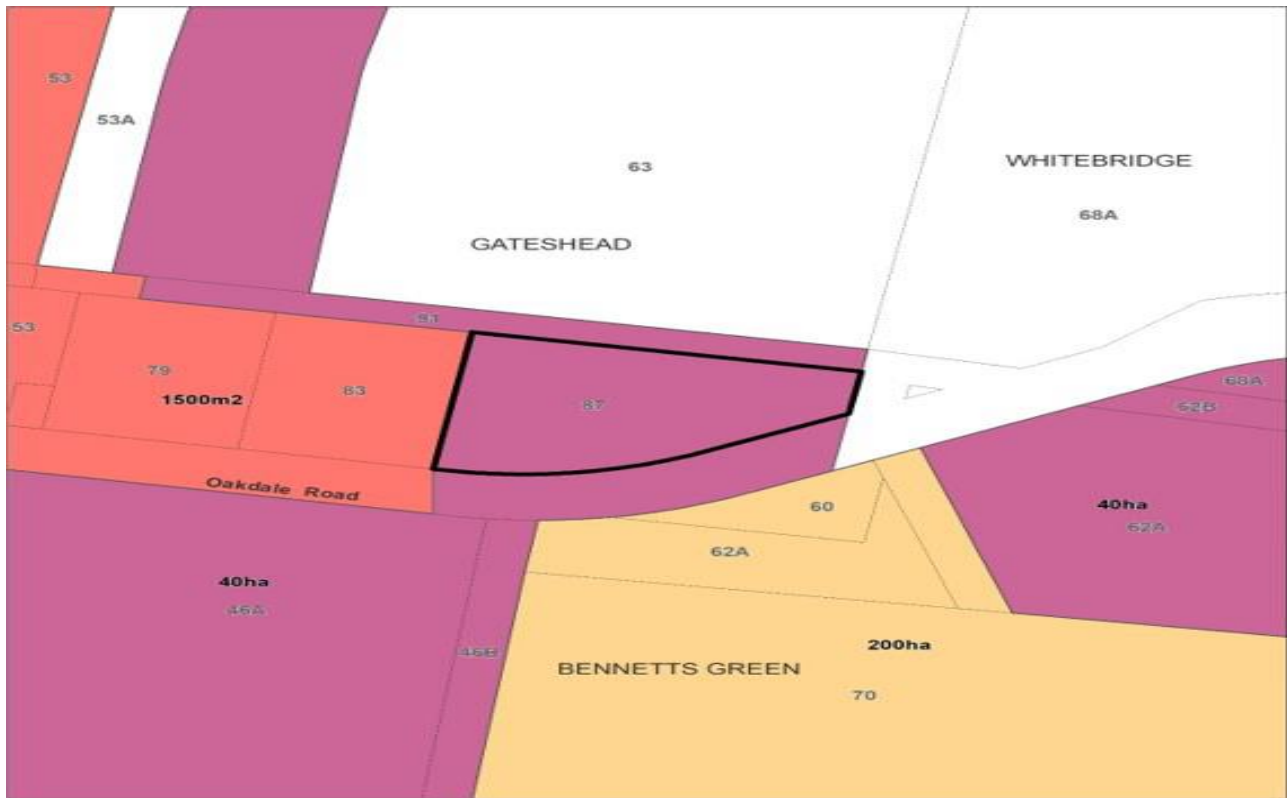


Figure 7 Current minimum lot size map

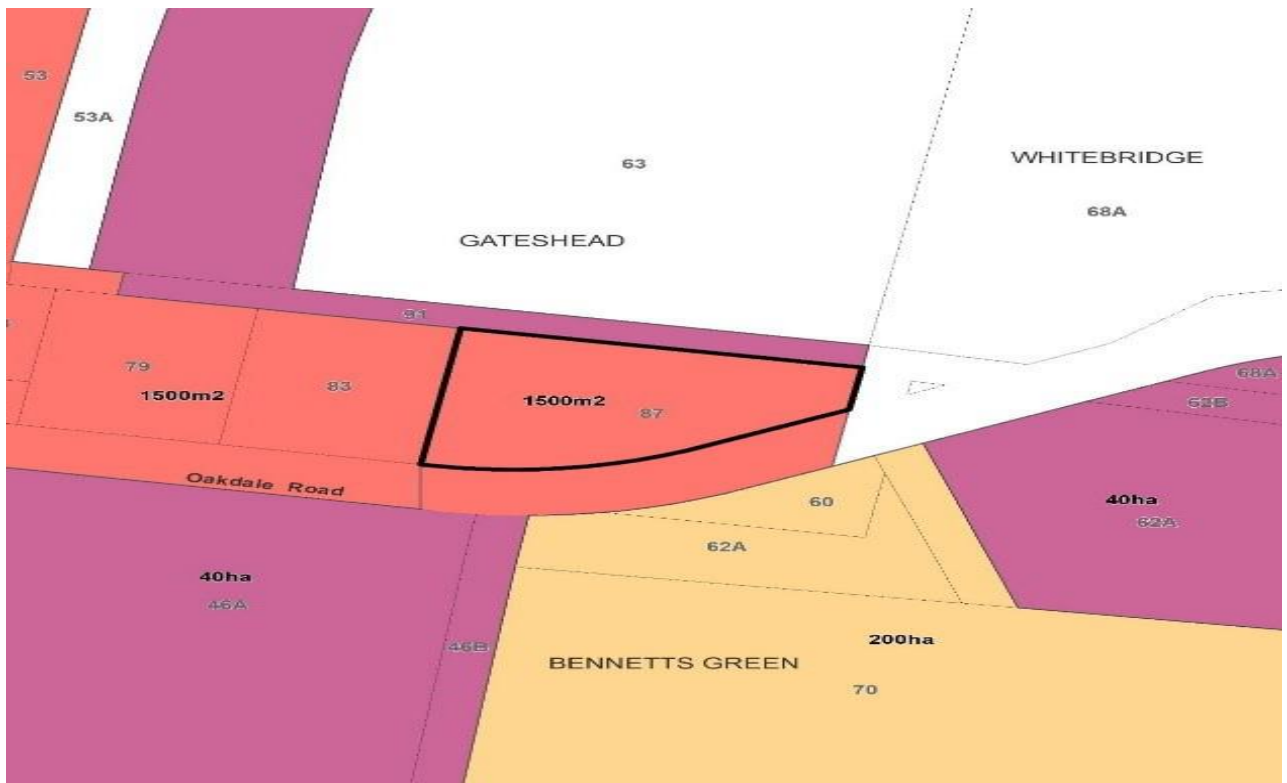


Figure 8 Proposed minimum lot size map

2 Need for the planning proposal

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

The proposal is considered the best means to achieve the intended outcomes as the current C3 Environmental Management zone is not considered suitable zone as the site is predominantly cleared. The proposal aims to enable employment uses on a largely existing industrial precinct (E4 General Industrial Land).

It would not be appropriate to amend the land use table for the C3 Environmental Management Zone or to add an additional permitted use for light industrial development as industrial land uses are not compatible with the zone objectives of the C3 Environmental Management Zone. Under the Standard Instrument LEP, 'industries' is also a prohibited use in the C3 Environmental Management Zone and is therefore not an encouraged outcome.

3 Strategic assessment

3.1 Hunter Regional Plan 2041

The *Hunter Regional Plan 2041* acknowledges the importance of providing employment land for productive industries and the value that creates for local communities and economies. The planning proposal is consistent with the *Hunter Regional Plan 2041* as the change to an industrial zoning will support productive industries in the Hunter region and it is well located to transport corridors such as the Pacific Highway.

The following table provides an assessment of the planning proposal against relevant and applicable aspects of the *Hunter Regional Plan 2041*.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
<p>Strategy 1.4</p> <p>Planning proposals for new employment lands will demonstrate they:</p> <ul style="list-style-type: none"> • are located in areas which will not result in land use conflict • can be adequately serviced and any biodiversity impacts are manageable • respond to the employment land needs identified for that local government area. 	<p>The planning proposal satisfies the strategy as:</p> <ul style="list-style-type: none"> • The site adjoins existing industrial land and is unlikely to result in land use conflicts with the proposed industrial uses. • The majority of the site is cleared from vegetation. Therefore, rezoning of the site is unlikely to create biodiversity impacts. • The site has access to Oakdale Road and the proposal states the site is connected to water and sewer services. • The proposal will provide an opportunity to increase employment land needs, including the provisions of smaller lot sizes (1,500m²) that may help meet the growing needs for both larger and smaller businesses. • The proposal is reinforced by the Department's employment lands development monitor (November 2022) which identified that Lake Macquarie had the second largest take up of employment land in the region (13 hectares). • The <i>Lake Macquarie Economic Development</i> identifies the key driver industries in Lake Macquarie are construction, manufacturing and utilities. The planning proposal appropriately responds to the employment land needs of the LGA.

Regional Plan Objectives	Justification
<p>Strategy 6.3</p> <p>Planning proposals will ensure the biodiversity network is protected within an appropriate conservation zone unless an alternate zone is justified following application of the avoid, minimise, offset hierarchy.</p>	<p>The planning proposal generally satisfies the strategy as:</p> <ul style="list-style-type: none"> • The site is currently zoned C3 Environmental Management, but presents limited opportunities to maintain the biodiversity values on the land, as the site is mostly cleared. As such, there may be limited options for the application of the avoid, minimise and offset hierarchy. • The proposal was accompanied by an ecological assessment report which concluded that there will be minimal impact to biodiversity and it does not identify any endangered or threatened flora and fauna located on the site. However, surrounding properties are mapped as habitats for flora and fauna, and the site does have the potential for squirrel glider habitat. <p>Therefore, the department recommends further consultation prior to the exhibition of the planning proposal with the Biodiversity Conservation Division to confirm the proposal is consistent with the strategy.</p>
<p>Strategy 6.4</p> <p>Planning proposals should promote enterprises, housing and other uses that complement the biodiversity, scenic and water quality outcomes of biodiversity corridors. Particularly, where they can help safeguard and care for natural areas on privately-owned land.</p>	<p>The planning proposal generally satisfies the strategy as the site is mostly cleared. Therefore, it is unlikely to have an impact on biodiversity values, and the site is unable to contribute areas of high environmental value to the broader region.</p> <p>The Department agrees with Council, further consultation with BCD is required prior to the exhibition of the planning proposal to understand to potential biodiversity impacts on surrounding sites that are zoned conservation areas.</p>
<p>Strategy 8.2</p> <p>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 satisfies the strategy as:</p> <ul style="list-style-type: none"> • The site adjoins existing employment land which contain a mix of commercial, bulky goods retail and office uses. The rezoning from C3 Environmental Management to E4 General Industrial reinforces and strengthens this area's core use as an employment precinct that does not detract from activities in centres and main streets. • The proposal will also allows for the opportunity to increase employment lands near residential zoned land which will also support the <i>Objective 3: Create 15 minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities.</i>

3.2 Greater Newcastle Metropolitan Plan 2036

The *Greater Newcastle Metropolitan Plan 2036* sets out strategies and actions to drive sustainable growth across Lake Macquarie, Cessnock, Maitland, Newcastle and Port Stephens communities. The metropolitan plan contains planning priorities and actions to guide the growth of the region while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The department is satisfied the planning proposal gives to the metropolitan plan. The following table includes an assessment of the planning proposal against relevant and applicable directions and actions.

Table 5 Greater Newcastle Metropolitan Plan 2036 assessment

Strategy	Action/Priority	Justification
Strategy 7 Respond to the changing land use needs of the new economy	<p>Greater Newcastle councils will align local plans to:</p> <ul style="list-style-type: none"> • build capacity for new economy jobs in areas well serviced by public transport and close to established centres by: • enabling a greater range of employment generating uses in appropriate industrial and business areas • responding to the challenge of balancing the vibrancy of a night-time economy with residential amenity • encouraging more home-based business, home-based industries and small business (under two employees plus residents) in residential areas. • ensure an adequate supply of employment land, including industrial zoned land, to cater for demand of urban services in accessible locations 	<p>The planning proposal is consistent with the strategy as:</p> <ul style="list-style-type: none"> • The site is located in proximity to the Pacific Highway which provides direct accessibility to the broader region, Sydney and Newcastle. • The rezoning of the site will generate employment in an already established industrial areas which are in close proximity to urban services. • The planning proposal will have minimal impacts to surrounding properties, as the site is largely cleared and adjoins existing employment lands.
Strategy 14 Improve resilience to natural hazards	<p>The Department of Planning and Environment will work with Greater Newcastle councils to plan for a changing climate by:</p> <ul style="list-style-type: none"> • ensuring major redevelopments include a natural hazard risk assessment that incorporates climate change parameters and mitigation/adaptation measures • ensuring planning for road upgrades of critical linkages considers sea level rise and flooding, and incorporates resilient design and materials to reduce reconstruction and recovery costs • developing a methodology to incorporate evacuation considerations into strategic, precinct and site-based planning • developing policies to achieve the NSW Government aspirational target of net zero emissions by 2050 	<p>The planning proposal is consistent with the strategy.</p> <p>The site is located on bushfire prone land. A bushfire hazard report was provided with the proposal. The report concluded that the proposal is consistent with Planning for Bushfire Protection 2019, however, further consultation with Rural Fire Service is recommended to ensure consistency.</p> <p>The Gateshead precinct does not identify any road or infrastructure upgrades to mitigate for rising sea level.</p> <p>Further consultation prior to the exhibition of the proposal with State Emergency Services (SES) is recommended to ensure evacuation measures are considered.</p>

Strategy	Action/Priority	Justification
Strategy 20 Integrate land use and transport planning	Transport for NSW, working with Greater Newcastle councils, will: <ul style="list-style-type: none"> improve public transport services between Newcastle City Centre, Broadmeadow, John Hunter Hospital, Callaghan, Cardiff, Charlestown and Kotara increase the frequency, improve the customer experience and enable easier modal changes on the passenger rail and intra-regional buses from Morisset, Maitland, East Maitland, Raymond Terrace, Cessnock and Kurri Kurri to other strategic centres implement travel demand management policies and tools to respond to growth in transport demand provide early and effective public transport services and active transport infrastructure in priority housing release areas that is well connected to key destinations and public open space • investigate re-prioritising road space for higher occupancy vehicles as a response to increased demand from population and economic growth manage the supply of new car parking in strategic centres to avoid road congestion identify improvements to active transport networks and provide unobstructed well connected pedestrian paths and a network of off-road separated cycleways to key destinations, including schools, employment hubs, shops and services. 	<p>The planning proposal is consistent with the strategy.</p> <p>The planning proposal aims to create an industrial zone in Gateshead which will increase employment opportunities near the existing public transport networks to Charlestown and will enable further connections to Newcastle and Lake Macquarie.</p> <p>A traffic summary report was provided with the planning proposal which concluded that there is limited pedestrian and cyclist demands in the precinct and near the site. However, visibility from the site driveway is impacted by heavy vegetation within the road reserve which will need to be further investigated.</p> <p>The traffic summary report provides limited details regarding the site's ability to accommodate additional traffic activity on a local road.</p> <p>Further consultation with Transport for NSW prior to the exhibition of the planning proposal is required to ensure consideration and coordination of pedestrian and traffic activity around the site.</p>

3.3 Greater Newcastle Future Transport Plan 2018

The *Greater Newcastle Future Transport Plan 2018* provides a strategic transport framework to guide future transport planning and efficient public transport networks.

The planning proposal is consistent as the rezoning of the site is able to utilise existing transport networks and links, including the Pacific Highway and Oakdale Road. The site will also be able to utilise public transport links located on Pacific Highway. This will help enable and provide further opportunities to connect employment lands to surrounding residential lands in the Greater Newcastle.

3.4 Local Strategic Plans

The planning proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Lake Macquarie Local Strategic Planning Statement	<p>The <i>Lake Macquarie City Local Strategic Planning Statement (LSPS)</i> provides a long term vision and planning priorities that guide the evolution of the city. The LSPS sets out social, economic and environmental planning priorities for the future. The LSPS has also identified immediate and short term actions to deliver these priorities and sets out ongoing actions.</p> <p>The planning proposal is consistent with the following priorities from the Lake Macquarie LSPS:</p> <ul style="list-style-type: none"> • <i>Planning priority 1: a city of vibrant centres – where people live, work and play</i> has been addressed as the planning proposal is ensuring that employment land is available for future economic growth and job opportunities. • <i>Planning priority 3: a city of prosperity – that attracts investment, creates jobs, and fosters innovation</i> has been addressed as the planning proposal is encouraging broader employment opportunities and industries through the rezoning of the site and it will provide an expansion of an already established industrial area. • <i>Planning priority 4: a city of close connections – where people, goods and services more efficiently</i> is addressed as the planning proposal provides the opportunity for more employment land with direct access to broader regional transport networks, such as Pacific Highway.
Central Coast and Lake Macquarie – Regional Economic Development Strategy 2023 update	<p>The <i>Central Coast and Lake Macquarie Regional Economic Development Strategy 2018–2022</i> sets out a long term economic vision and a framework for a coordinated approach to implement the economic endowments and enablers across the region.</p> <p>The planning proposal is consistent with the objectives of the strategy to achieve sustainable development opportunities which will enhance the economic competitiveness of the region.</p> <p>The 2023 update to the strategy sets out the need to support activation of industrial land. The planning proposal is consistent with the 2023 update, as it provides the opportunity to allow local industries to grow on well-connected land.</p>
Lake Macquarie Housing Strategy 2021	<p>The <i>Lake Macquarie Housing Strategy 2021</i> aims to support the vision and values of the community by providing goals and actions for housing.</p> <p>This strategy is not applicable to the planning proposal, as it is not being considered for residential development. The planning proposal is providing an opportunity for employment land to be available near neighbouring residential zones. This is highlighted as an objective in the strategy.</p>

3.5 Section 9.1 Ministerial directions

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

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Consistent	An assessment against the relevant and applicable strategies has been provided in section 3.1 of this report and concludes the planning proposal is consistent. However, further consultation with agencies is required.
1.3 – Approval and Referral Requirements	Consistent	<p>The objective of this direction is to ensure the local environmental plan provisions encourage the efficient and appropriate assessment of development.</p> <p>The planning proposal is consistent with this direction as:</p> <ul style="list-style-type: none"> • The planning proposal does not require consultation or referral of a development application to a Minister or public authority. • The planning proposal is not resulting in development on land that is identified as designated development.
3.1 – Conservation Zones	Further consultation is required	<p>The planning proposal is rezoning the site from a C3 Environmental Management zone to an E4 General Industrial zone. The site is mostly cleared of vegetation and the ecological assessment report and ecology review concluded that impacts to biodiversity values is minor and unlikely.</p> <p>The ecological assessment report did identify the site does have potential for squirrel glider habitat. Therefore, further investigation is required to ensure any further clearing of vegetation is assessed and there will be no impacts to the species.</p> <p>The planning proposal is inconsistent with this direction. Further consultation with the Biodiversity Conservation Division is required prior to the exhibition of the planning proposal to understand the impacts of any further clearing of vegetation on the site.</p>
3.2 – Heritage Conservation	Further consultation is required	<p>The site is mapped as a sensitive Aboriginal landscape. An Aboriginal heritage study was prepared which identified that there is minimal Aboriginal heritage value on the site.</p> <p>Consultation with Heritage NSW (Aboriginal Cultural Advisory committee) is recommended as the site is located on Sensitive Aboriginal Landscape. Therefore, consultation with Heritage NSW is advised prior to the exhibition of the planning proposal to ensure protection and celebration of Aboriginal cultural heritage is achieved.</p>

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
4.3 - Planning for Bushfire Protection	Further consultation is required	<p>The site is located on bushfire prone land and is Vegetation Category Type 3 and 1. A bushfire assessment was provided with the planning proposal that concluded that the site is capable of accommodating the proposed future land uses on the site, and that future development on the site can provide appropriate Asset Protection Zones (APZ).</p> <p>However, it is recommended consultation with NSW Rural Fire Service (RFS) occurs prior to the exhibition of the planning proposal to ensure consistency with this direction and Planning for Bush Fire Protection 2019.</p>
4.4 - Remediation of Contaminated Land	Consistent	A preliminary contamination investigation report has identified the site as moderate risk of contamination and that further investigations are required prior to development and/or construction activities being undertaken on the site.
4.6 - Mine Subsidence and Unstable Land	Further consultation is required	<p>The subject site is located on Lake Macquarie Mine Subsidence District.</p> <p>Further consultation is required with Subsidence Advisory NSW prior to the exhibition of the planning proposal to ensure consistency with this direction.</p>
5.1 – Integrating Land Use and Transport	Consistent	The site is consistent with this direction as it is in close proximity to public transport routes along the Pacific Highway and Newcastle Inner City Bypass. The site also connects to nearby residential areas via Fernley Track.
7.1 Employment Zones	Consistent	The planning proposal is consistent with this direction as the rezoning of the site to industrial uses encourages employment in an already established industrial area and ensures industrial uses are located in a location that supports the surrounding centres of Gateshead and Charlestown.

3.6 State environmental planning policies (SEPPs)

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
State Environmental Planning Policy (Biodiversity and Conservation) 2021	This SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Consistent	<p>The planning proposal aims to remove a portion of vegetation from the subject site. According to the ecological assessment report provided with the planning proposal, any impact to vegetation is unlikely to have significant effect or impact on biodiversity value.</p> <p>Further with the Biodiversity Conservation Division is required prior to the exhibition of the planning proposal to ensure consistency with this SEPP.</p> <p>Further assessment at the development application stage should also be considered to ensure the condition and relationship with local biodiversity, including squirrel glider habitat.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	This SEPP contains planning provisions for land use planning within coastal zones and to manage hazardous development and minimise the risk of harm.	Consistent	<p>According to the preliminary contamination investigation report prepared with the planning proposal the site has a moderate risk of contamination.</p> <p>The preliminary contamination investigation has also identified the need for further investigations being required prior to development and/or construction activities being undertaken on the site.</p>
State Environmental Planning Policy (Transport & Infrastructure) 2021	This SEPP aims to facilitate the delivery of infrastructure across NSW.	Consistent	<p>The site is unlikely to have significant impact on existing infrastructure and surrounding traffic/pedestrian uses.</p> <p>Further consultation with Transport for NSW is required prior to the exhibition of the planning proposal.</p>
State Environmental Planning Policy (Resources and Energy) 2021	This SEPP contains Planning provisions for the assessment and development of mining, petroleum production and extractive material resources.	Consistent	<p>The planning proposal is unlikely to have impact on the mining, petroleum production and extractive material resources.</p>

4 Site-specific assessment

4.1 Environmental

The planning proposal is unlikely to have an impact on local flora and fauna or on any threatened species, populations, or ecosystems. The site is mostly cleared vegetation and a biodiversity assessment report has been prepared with the proposal concludes that the only vegetation communities on the site include Kahibah Snappy Gum Forest and Lake Macquarie Spotted Gum Forest. The report did identify that the site does have potential for squirrel glider habitat. Therefore, further investigation is required to ensure any further clearing of vegetation is assessed.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 10 Social and economic impact assessment

Social and Economic Impact	Assessment
Economic	<p>The planning proposal is likely to deliver a range of economic benefits including:</p> <ul style="list-style-type: none"> Contributing to meeting the supply and demand of employment lands available in Lake Macquarie by expanding an already established industrial area. Providing an opportunity to deliver more employment and diversity of industrial uses to support a growing population which is located near transport infrastructure and residential areas.
Social	<p>The planning proposal is likely to have positive social impacts by facilitating additional employment generating land uses on the site.</p>

4.3 Infrastructure

The following table provides an assessment of the adequacy of infrastructure to service the site, the development resulting from the planning proposal and what infrastructure is proposed in support of the planning proposal.

Table 11 Infrastructure assessment

Infrastructure	Assessment
Access & Traffic	<p>The site is in close proximity to major roads and public transport. The site also has access to Oakdale Road and Redhead Road (which in turn provides access to the Pacific Highway).</p>
Health Care	<p>The site is located within close proximity to the Gateshead and Charlestown Medical facilities. The planning proposal is unlikely to impact existing or increase demand for future medical facilities.</p>

Infrastructure	Assessment
National Broadband Network	The Gateshead precinct is connected to the National Broadband Network. The planning proposal is unlikely to impact existing or adversely increase the coverage capacity in the region.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

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

5.2 Agencies

Council has nominated the following public agencies to be consulted about the planning proposal:

- Heritage NSW (Aboriginal Cultural Advisory committee)
- Biodiversity Conservation Division
- Subsidence Advisory NSW
- NSW Rural Fire Service

The department considers it appropriate for the Council nominated agencies to be consulted prior to the exhibition of the planning proposal.

6 Timeframe

Council proposes a 225 working day timeframe to complete the local environmental plan.

Stage	Timeframe and / or date
Gateway determination	25 working days
Pre-exhibition	50 working days
Commencement and completion of public exhibition period	20 working days
Consideration of submissions	10 working days
Post-exhibition review and additional studies	10 working days
Post exhibition planning proposal consideration / preparation	55 working days
Submission to Department for finalisation (where applicable)	10 working days
Gazettal of LEP Amendment	45 working days

The department recommends a timeframe of 225 working days to ensure it is completed in line with its commitment to reduce processing times which reflects the timeframes for a standard planning proposal under the *Local Environmental Plan Making Guideline*.

It is recommended if the Gateway is supported it also includes conditions requiring council to exhibit and report on the proposal by specified milestone dates.

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 a standard planning proposal and is generally consistent with the *Hunter Regional Plan 2041* the department recommends that Council be authorised to be the Local Plan-Making Authority.

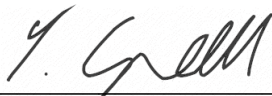
8 Recommendation

It is recommended the delegate of the Secretary:

- note the consistency with section 9.1 Ministerial directions: 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.3 Planning for Bushfire Protection and 4.6 Mine Subsidence and Unstable Land are unresolved and will require justification.

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

1. Prior to public exhibition, consultation is required with the following public authorities:
 - Heritage NSW (Aboriginal Cultural Advisory committee)
 - Biodiversity Conservation Division
 - Subsidence Advisory NSW
2. The planning proposal should be made available for community consultation for a minimum of 28 days.
3. The planning proposal must be exhibited 3 months from the date of the Gateway determination.
4. The date for completing the LEP is to by 14 July 2024.
5. Given the nature of the proposal, Council should be authorised to be the Local Plan-Making Authority.




(Signature)

18/8/2023

(Date)

Yasmin Campbell

Manager, Central Coast and Hunter



(Signature)

23 August 2023

(Date)

Dan Simpkins

Director, Central Coast and Hunter

Assessment officer

Rachel Murray

Planning Officer, Central Coast and Hunter

4927 3191