

## **A. Minister's Opinion under Clause 6 of SEPP (Major Projects) 2005**

### **a) Property details supported by maps in A4 or A3 size showing the site's local and regional context**

The property is located at 488 Tarean Road (old Pacific Highway), Karuah. The property has an area of approximately 5.2 hectares. The owners of the site are Vince and Rozalia Lyovic. The title of the property is Lot 3 DP652596 and Lot 4 DP551688. The site is located just north of the Karuah Bridge which allows access to the local shops and amenities. It is located adjacent to the Karuah River.

Nb. For maps showing the local and regional context see Appendix 1.

### **b) Description of the proposal supported by plans in A4 or A3 size**

The proposal is for a 73 lot subdivision for the land which is located within the Great Lakes local government area. The proposed lots are typically conventional residential or village size lots.

The site is located at Tarean Road which was formerly known as the Pacific Highway and was therefore unsuitable for development due to access constraints. A by-pass has been built that diverts traffic away from Karuah and now sees 100 cars travel across the Karuah Bridge, rather than 11000 each day.

Nb. For preliminary plans see Appendix 2.

### **c) Capital Investment value (excluding land value)**

The capital investment value for the project covers civil construction works for road work, drainage, water and sewer. The estimated value is \$4,600,000 (four million, six hundred thousand dollars).

**d) Planning provisions applying to the site and whether the project is permitted under the existing environmental planning instruments, DCPs, policies etc, and if the project is inconsistent with such instruments/plans/policies.**

## **1. Great Lakes Local Environmental Plan 1996**

Zoning Controls - Zone No. 2 "Village"

### *1.2 What are the objectives of the zone?*

*The objective of the zone is to restrict development to small scale developments which are compatible with the general residential character of village areas and which are unlikely to prejudice the viability of established shopping and commercial centres.*

### *1.3 What is permitted without development consent?*

*Development for the purpose of:*

*Bushfire hazard reduction; dwelling-houses.*

### *1.4 What is permitted only with development consent?*

*Any development not included in item 2 or 4.*

### *1.5 What is prohibited?*

*Development for the purpose of:*

*Areodromes; extractive industries; generating works; hazardous storage establishments; heliports; industries (other than light industries); material recycling yards.*

*(Great Lakes Local Environmental Plan, 1996: 4).*

The proposed subdivision for the site adheres to the zoning controls of Zone No. 2 "Village" as stated in the Great Lakes Local Environmental Plan 1996. The subdivision is of relatively small scale and would enhance the viability of the established shops or commercial centres at Karuah.

## **2. Great Lakes Council Development Control Plan 31 (DCP 31) – Subdivision**

### *2.1 What type of development is covered by this DCP?*

*This DCP applies to any subdivision for Residential, Business, Industrial, Rural (includes Rural Residential) and Environmental Protection Purposes in the Great Lakes Local Government Area.*

### *2.2 Aims and objectives of DCP 31*

- To protect and enhance the environment*
- Ensure that development is carried out to a consistent standard throughout the Great Lakes Local Government Area; and*
- Protect the amenity of existing development by ensuring a high standard of design and construction in new subdivisions*

### *2.3 Residential Subdivision*

- The aims of the residential subdivision development controls are to:*
  - Facilitate greater diversity in housing choice;*
  - Strike a balance between cost effectiveness and recurrent costs to the Council and the community;*
  - Provide and appropriate level of amenity for new and existing residential areas*
  - Ensure appropriate levels of service are achieved by utilities and the road network;*
  - Optimise use of existing infrastructure;*
  - Ensure environmental constraints and impacts such as flooding, drainage, vegetation, erosion etc are adequately considered;*
  - Encourage innovative design and;*
  - Encourage energy efficiency*

*(Great Lakes Council DCP 31, 2001: 2)*

The proposed subdivision for the site adheres to Great Lakes Council's Development Control Plan 31. This development would compliment the aims and objectives of this DCP as it is committed to a high standard of design and construction throughout the development process. The subdivision would offer potential residents new housing options whilst maintaining high amenity value for them and existing residents. Energy efficiency will be encouraged throughout.

Appropriate levels of service in regards to infrastructure, utilities and the road network would be maintained by the proponent. Two new roads are planned to provide residential access. Sewer infrastructure is already in place for the site. Cable infrastructure has been identified. Flooding, drainage, vegetation and erosion issues have been addressed by suitably qualified engineers at a preliminary level.

Recurrent costs to the community and Council will be minimised where possible, through cost effective measures.

**e) Justification as to why the proposal is a Major Project having regard to the criteria specified in State Environmental Planning Policy (Major Projects) 2005**

Schedule 2 of Part 3A Major Projects "Coastal Areas" identifies this site as a *Sensitive coastal location* as it is located within 100m of "(g) the waters edge of a coastal lake." ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au), SEPP Major Projects 2005).

Under this SEPP the subdivision is allowed and the environmental impacts will be limited. The Minister is the relevant consent authority.

**f) In relation to Schedule 2, Coastal areas, clause (2) of SEPP (Major Projects) 2005 concerning concurrence under another environmental planning instrument (EPI), it is necessary to provide details of the EPI which prohibits development consent from being granted without the concurrence of the Minister for Planning or Director-General of the Department of Planning. (This most likely relates to the height of the development and concurrence under relevant Regional Environmental Plan**

The proposed development falls under Schedule 2, Coastal areas of SEPP (Major Projects) 2005 as it is located within within 100m of (g) *the waters edge of a coastal lake*. It is not disputed that the land lies within this zone, and thus the consent of the Department of Planning is required for the development to proceed.

## **B. Lodgement of Major Projects Application and Request for Director General's Environmental Assessment Requirements (DGR's)**

### **Preliminary Assessment of subdivision at Tarean Road Karuah**

#### **a) Key Issues**

- i. The proposal complies with known relevant planning controls such as Great Lakes Development Control Plan No. 31 "Subdivision", the Hunter Regional Environmental Plan, and Zoning controls Zone No. 1(c) "Future Urban Investigation "
- ii. There are no known community concerns about the proposal.
- iii. The land was cleared many years ago, thus any environmental impacts caused by construction, operation and occupation of the site will be minimal.
- iv. Access: The site is located adjacent to the old Pacific Highway and was therefore previously unsuitable for development due to access constraints. Due to the Pacific Highway upgrade a bypass now diverts traffic away from Karuah. Due to a dramatic decrease in the amount of traffic flowing through Karuah it is now feasible for a residential development to occur. Access to the development will be via Tarean Road with a connecting road through the subdivision of 15.5 metres in width.
- v. Stormwater: The site drains to a gully which will be ideal for a stormwater management device, including gross pollutant trap.
- vi. Sewer: The site falls within the Mid Coast Water Board's territory whilst is on a boundary with the Hunter Water Corporation. The NSW State government has provided sewerage infrastructure at this site.
- vii. Water: Town water is available to the site.
- viii. Electricity: This is available to the site.
- ix. Telecommunications: These are available to the site
- x. Residential amenity: The proposal would enhance the residential amenity of Karuah creating positive social and economic effects.

**b) Property details, supported by maps in A4 or A3 size, showing the site's location**

The property is located at Lot 3 DP652596 and Lot 4 DP551688 Karuah. It is located at 488 Tarean Road (old Pacific Highway), Karuah. It lies within the Great Lakes local government area and borders on the Port Stephens local government area. The site is located just north of the Karuah Bridge which allows access to local shops and amenities. It is located opposite the Karuah River.

The site is located adjacent to the old Pacific Highway and was therefore previously unsuitable for development due to access constraints. A by-pass has been built that diverts traffic away from Karuah and now sees 100 cars travel across the Karuah Bridge, rather than 11000 each day.

Nb. For maps showing the site's location see Appendix 1.

**c) A written and graphical description of the project and any ancillary components, including relevant preliminary plans**

The proposal is for a 73 lot subdivision for the land which is located within the Great Lakes local government area. The proposed lots are typically conventional residential or village size lots.

Nb. For preliminary plans see Appendix 2.

**d) Planning provisions applying to the site and whether the project is permitted under the existing environmental planning instruments, DCPS, policies etc, and if the project is inconsistent with such instruments/plans/policies**

**1. Great Lakes Local Environmental Plan 1996**

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*(Great Lakes Local Environmental Plan, 1996: 4).*

The proposed subdivision for the site adheres to the zoning controls of Zone No. 2 "Village" as stated in the Great Lakes Local Environmental Plan 1996. The subdivision is of relatively small scale and would not prejudice the viability of the established shops or commercial centres at Karuah.

## **2. Great Lakes Council Development Control Plan 31 (DCP 31) – Subdivision**

### **2.1 What type of development is covered by this DCP?**

*This DCP applies to any subdivision for Residential, Business, Industrial, Rural (includes Rural Residential) and Environmental Protection Purposes in the Great Lakes Local Government Area.*

### **2.2 Aims and objectives of DCP 31**

- *To protect and enhance the environment*
- *Ensure that development is carried out to a consistent standard throughout the Great Lakes Local Government Area; and*
- *Protect the amenity of existing development by ensuring a high standard of design and construction in new subdivisions*

### **2.3 Residential Subdivision**

- *The aims of the residential subdivision development controls are to:*
  - *Facilitate greater diversity in housing choice;*

- → *Strike a balance between cost effectiveness and recurrent costs to the Council and the community;*
- *Provide and appropriate level of amenity for new and existing residential areas*
- *Ensure appropriate levels of service are achieved by utilities and the road network;*
- *Optimise use of existing infrastructure;*
- *Ensure environmental constraints and impacts such as flooding, drainage, vegetation, erosion etc are adequately considered;*
- *Encourage innovative design and;*
- *Encourage energy efficiency*

(Great Lakes Council DCP31, 2001: 2)

The proposed subdivision for the site adheres to Great Lakes Council's Development Control Plan 31. This development would compliment the aims and objectives of this DCP as it is committed to a high standard of design and construction throughout the development process. The subdivision would offer potential residents new housing options whilst maintaining high amenity value for them and existing residents. Energy efficiency will be encouraged throughout.

Appropriate levels of service in regards to infrastructure, utilities and the road network would be provided by the proponent. New roads, built to Great Lakes Council engineering standards, are planned to provide residential access. Sewer infrastructure is already in place for the site. Cable infrastructure has been identified. Flooding, drainage, vegetation and erosion issues are being addressed by suitably qualified engineers.

Recurrent costs to the community and Council will be minimised where possible, through cost effective measures.

#### **e) Views of the local council and local community**

The proposal is in compliance with the Great Lakes Local Environmental Plan 1996 and Great Lakes Development Control Plan No. 31 and the proponent cannot identify any reason that the Great Lakes Council would not support the proposal. The proposal is in line with the zoning and amenity values of the area therefore should not cause any



- disharmony within the community. The proponent has met on site with GLC planners to discuss the proposal, which was favourably received.

**f) Identification of any study or investigations undertaken for any regional or local strategies that may affect the proposal**

There are no known studies or investigations that have been undertaken for any regional or local strategies that would affect this proposal.

**C. Project Application or Project Application for Concept Approval**

On behalf of the developer we seek Project Approval that is, full approval.

# **APPENDIX 1**

**Parts A (a), B (b)**

**Map 1: "Karuah in Regional Context"**

**Map 2: "Karuah in Local Context"**

**Map 3: "Site Map"**





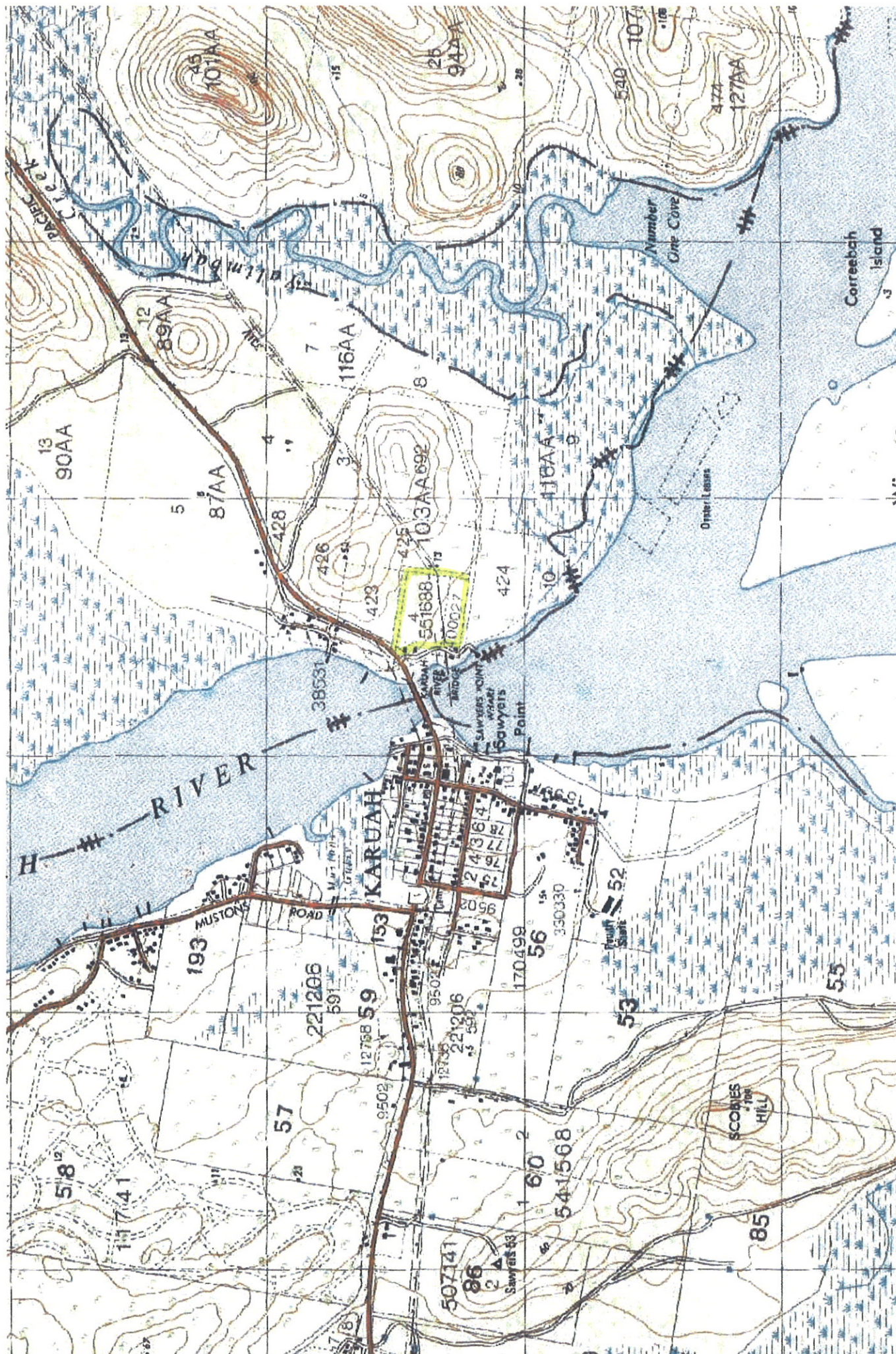
MAP 1: Part A (a) "Karuah in Regional Context"  
Part B (b)





MAP 2: Part A (a) "Karuah in local context"  
Part B (b)





■ SUBJECT SITE

MAP 3 : Part A (a), Part B (b) "Site Map"



## **APPENDIX 2**

**Parts A (b), B (c)**  
**"Preliminary Plans for Proposal"**