



Tarean Road - Karuah Planning Proposal

**Proposed amendment to Port Stephens Local
Environmental Plan 2013**

Additional Permitted Use at 254 Tarean Road,
Karuah, NSW 2324 (Lot 1 DP507141)



PORT STEPHENS
COUNCIL

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VERSION CONTROL

Version	Date	Details
1	December 2024	Planning proposal as submitted to Council
2	March 2025	Updated to Council template
3	June 2025	Updated Part 4 Mapping after Gateway Determination
4	August 2025	Updated for public exhibition

ATTACHMENTS

APPENDIX 1 - Visual Impact Assessment
APPENDIX 2 - Detail Survey
APPENDIX 3 - Strategic Bushfire Study
APPENDIX 4 - Preliminary Site Investigation
APPENDIX 5 - Detailed Site Investigation
APPENDIX 6 - Traffic Impact Assessment
APPENDIX 7 - Traffic Impact Addendum
APPENDIX 8 - AHIMS Search Result
APPENDIX 9 - Pre-Lodgement Advice

FILE NUMBERS

Council: 58-2024-7-1
Department: PP-2024-2707

SUMMARY

Subject land: Lot 1 DP507141
254 Tarean Road, Karuah, NSW, 2324

Proponent: Coastal Earthmoving Hire Pty Ltd
Perception Planning Pty Ltd

Proposed changes: The planning proposal is seeking to amend Schedule 1 of the *Port Stephens Local Environmental Plan 2013* to insert an additional permitted use for a service station.

Area of land: 1.662 hectares

BACKGROUND

The planning proposal seeks to amend the *Port Stephens Local Environmental Plan 2013* (LEP) to enable a service station at 254 Tarean Road, Karuah, NSW, 2324.

The site is currently zoned RU2 – Rural Landscape. An existing restaurant and service station occupy the site, however, are no longer operational or suitable for continued use. Neither of these historic uses are currently listed as permissible with consent within the zone. To enable a Development Application (DA) to be lodged with Council for consideration, the land use term of a “service station” needs to be listed as permissible with development consent under the LEP (Schedule 1 – Additional permitted uses).

The justification for the planning proposal is informed by the Karuah Place Plan adopted by Council on the 22 March 2022 which identifies the sites as short-term employment land.

The following investigations are provided with this Planning Proposal:

- Strategic Bushfire Strategy
- Detail Survey
- Preliminary and Detailed Contamination Assessment
- Visual Impact Assessment
- AHIMS Search Result
- Traffic Impact Addendum
- Traffic Assessment Report

SITE

The site is a single parcel of land with an area measuring 1.662 hectares (**Figure 1**). The site is bordered by Tarean Road to the north and rural lands to the south, east and west. A small amount of properties adjacent to the site along Tarean Road are zoned R2 – Low Density Residential with the majority of the neighbouring sites RU2 – Rural Landscape (**Figure 2**).

The site is currently zoned RU2 and is subject to a minimum lot size of 20ha. The site does not meet the minimum lot size for the zone.

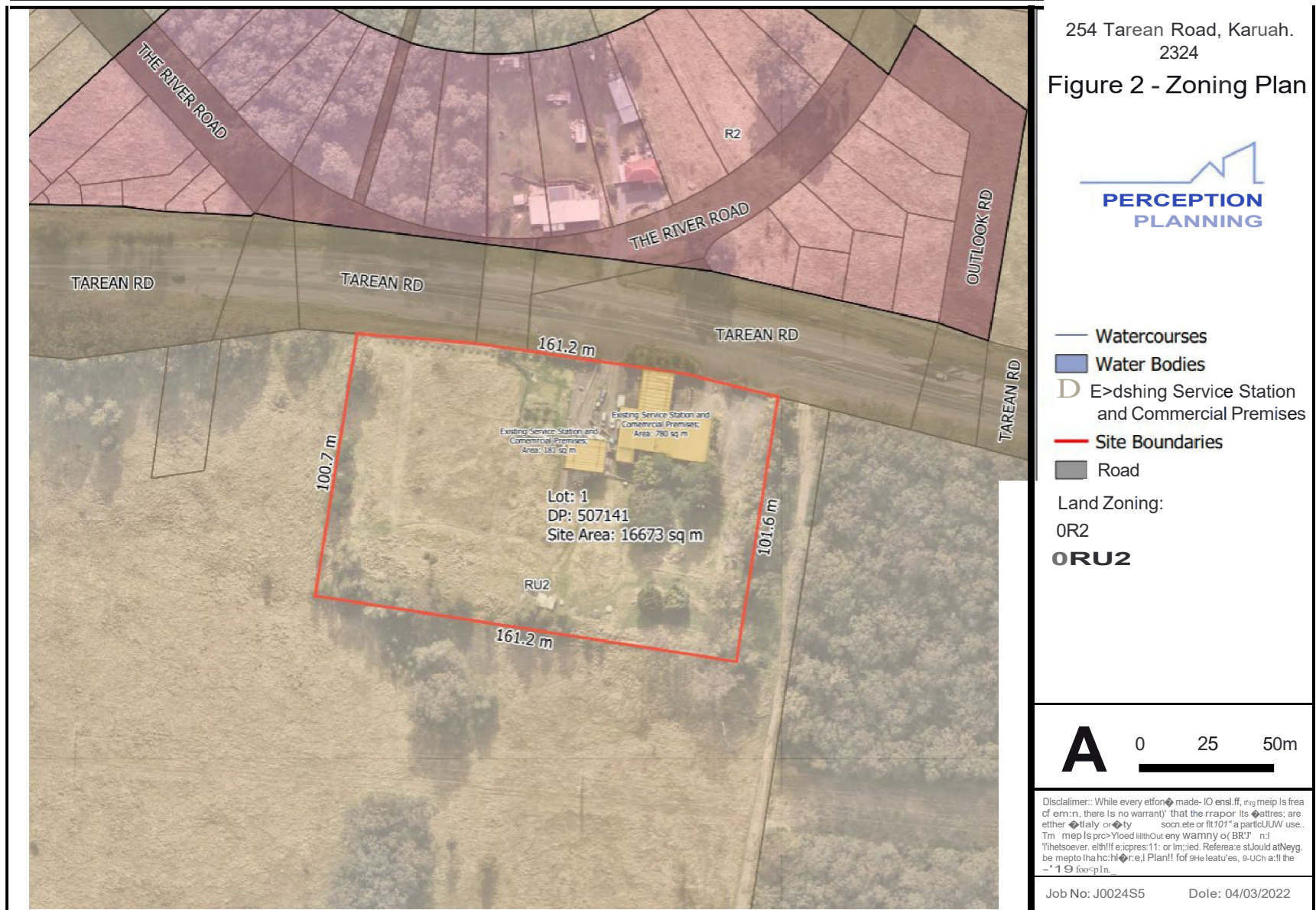
The site is located 1.2km or a 2-minute drive from the Karuah town centre and 21km or a 16-minute drive to Medowie. The site is identified in the Karuah Place Plan for future short-term employment land and supports key strategic land-use planning documents such as the Hunter Regional Plan and the Port Stephens Local Strategic Planning Statement.

The site has a history of commercial land-uses, such as a service station, retail premises and residential use on the large rural lot. Although the service station is no longer operational, all infrastructure has been retained including fuel pumps. Tarean Road interconnects with the Pacific Highway which is a dual laneway carriageway connecting the site to strategic centres of Medowie, Raymond Terrace, Nelson Bay and the regional city of Newcastle.

Figure 1– Locality Plan



Figure 2 – Zoning Plan



PART 1 – Objectives or intended outcomes

The objective of this planning proposal is to enable a service station at the subject site. The intended outcome aims to meet immediate and future demand for service stations and daily needs in the surrounding area as well as facilitate the new housing in the area.

PART 2 – Explanation of provisions

The intended outcome of the planning proposal will be achieved by the following amendments to the *Port Stephens Local Environmental Plan 2013* (the LEP) by inserting the following clause under Schedule 1 – Additional Permitted Uses:

Use of certain land at 254 Tarean Road, Karuah

- 1) This clause applies to land at 254 Tarean Road, Karuah being Lot 1, DP507141.
- 2) Development for any of the following purposes is permitted with development consent –
 - a) service station.

These amendments will require revisions to the current Additional Permitted Uses Map under the *Port Stephens Local Environmental Plan 2013* (the LEP).

The proposed provisions will add an additional use to the subject site to allow for a service station, this additional use will still be subject to a development application and development consent.

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

Strategic merit

Section A – Need for the planning proposal

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

Yes, the planning proposal is the result of the Karuah Place Plan which identified the site as short-term employment land.

The planning proposal will enable the Karuah Place Plan by securing identified short term employment land for the community. The site has a history of commercial land-uses, including a service station and retail premises and is considered to be located within a suitable proximity to the Karuah town centre and Pacific Highway. The planning proposal seeks to incorporate the additional

permitted use clause under Schedule 1 of the LEP to re-establish the historic use of the site.

The site is located on the southern side of Tarean Road. The location would be the first fuel and rest opportunity for west bound traffic from Karuah before entering onto the Pacific Highway. The location facilitates easy traffic movement from the site to areas throughout the municipality and the broader surrounds.

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

Yes. In order to achieve the intended outcome, the following was considered:

- Amend the zone to E1 Local Centre. Zoning the site E1 Local Centre would enable a wider range of development opportunities on the site that would have the potential to impact on established businesses in the Town Centre.

This option was not considered suitable as it would have a greater impact than an additional permitted use and may undermine the town centre.

Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the Hunter Regional Plan and/or Greater Newcastle Metropolitan Plan (or any exhibited draft plans that have been prepared to replace these)?

Yes. The planning proposal will give effect to the Hunter Regional Plan 2041 (HRP) which sets the strategic land use framework for continued economic growth and diversification in one of Australia's most diverse and livable regions (p.8). The following objectives are of relevance to the planning proposal:

Objective 1: Diversify the Hunter's mining, energy and industrial capacity

This objective primarily focuses on the current and future employment lands of the Hunter Region. The proposed development site is a former employment land, located on the outskirts of the Karuah township. The proposal will leverage existing infrastructure and provide for convenient access to employment and essential services while not detracting from existing land uses and commercial areas.

The planning proposal is able to meet the requirements set out in Strategy 1.4

Planning proposals for new employment lands will demonstrate they:

- *Are located in areas which will not result in land use conflict.*

The site contains a former service station that currently has limited development around it. A small amount of residential land is located to the north, previous Council assessments of land use conflict would continue to apply, and the extent

of land use conflict, subject to the service station being reinstated, would be minor. There is approximately 270m between the subject site and the nearest major residential subdivision. This is considered to be an appropriate buffer area for the future land use.

Being located on the outskirts of an existing settlement is wholly appropriate for the kind of supporting development that service stations comprise. In terms of the existing rural land uses in the surrounding area, there are limited rural activities occurring. Nearby rural land uses include a sawmill to the north-west, and cleared, vacant land to the south. Rural land to the north is similarly cleared and exists as a large land holding. The future use of the site as a service station is unlikely to create conflicts with existing rural land uses in the immediate surrounding area. As such, it is considered the amendment will not result in land use conflict.

- *Can be adequately serviced and any biodiversity impacts are manageable.*

The site has access to reticulated water and sewer services, and access to mains power. As such, it is adequately serviced in its existing state. To accommodate the future development, it is not likely that clearing will be required.

Notwithstanding, the immediate surrounding land is not identified on the Biodiversity Values (BV) map and is identified as 'mainly cleared land' on Council's Koala Plan of Management (KPOM) habitat map.

- *Respond to the employment land needs identified for that local government area.*

The site has been identified as 'short term employment land' in the Karuah Place Plan, which is further discussed below. As such, the planning proposal will enable development that will directly address the need for short term employment land on the site.

Objective 9: Sustain and balance productive rural landscapes

This objective primarily focuses on the appropriate development of rural landscapes within the Hunter Region.

Strategy 9.1 states:

Local strategic planning should consider:

- *Protecting important agricultural lands, rural industries, processing facilities and supply chains from land uses which may result in land use conflict or fragmentation.*

- *Opportunities to promote the diversification and innovation of agricultural activities and ways to facilitate the upscaling of productivity without acquiring more land.*
- *Supporting activities to value-add and provide additional income streams for farmers.*
- *Ensuring the impacts of development on aquatic habitats in aquaculture estuaries are minimised to support aquaculture.*

The proposed LEP amendment will not adversely affect important agricultural lands. As previously discussed, the site has been used as a service station in the past, and as such has not been used for agricultural purposes. The proposed LEP amendment is not likely to create land use conflicts specifically due to the advantageous location of the site adjoining Tarean Road and scale of the subject being well below the minimum lot size for the RU2 zone.

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

Port Stephens Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) identifies the 20-year vision for land use in Port Stephens. It sets out the social, economic and environmental planning priorities for the future and identifies when they will be delivered. The LSPS is the tool that gives local-level effect to State Government regional plans by informing local statutory plan making and development controls. It also provides the link between the Port Stephens Community Strategic Plan (CSP) and land use planning. The LSPS has been prepared in accordance with Section 3.9 of the EP&A Act.

Planning Priority 1 seeks to support the growth of strategic centres and major employment areas. The most relevant objective for the proposed LEP amendment is:

Access rezoning requests for consistency with the economic directions set in local strategies. (p.18)

The subject site is specifically identified in the Karuah Place Plan, as a future area to be utilised for employment lands. The planning proposal is consistent with the LSPS as it provides economic opportunity in an appropriate location that will create jobs. The proposed LEP amendment will not hinder the economic growth of the existing Karuah local centre.

Karuah Place Plan

The Karuah Place Plan (KPP) is an addendum to the Karuah Growth Strategy of 2011 and provides an overall structure plan for land use planning in the Karuah area. Shown in **Figure 3**, the site has been identified for 'short term employment land'. The future development of the site would result in short term employment land, and as such would be consistent with the Karuah Place Plan.

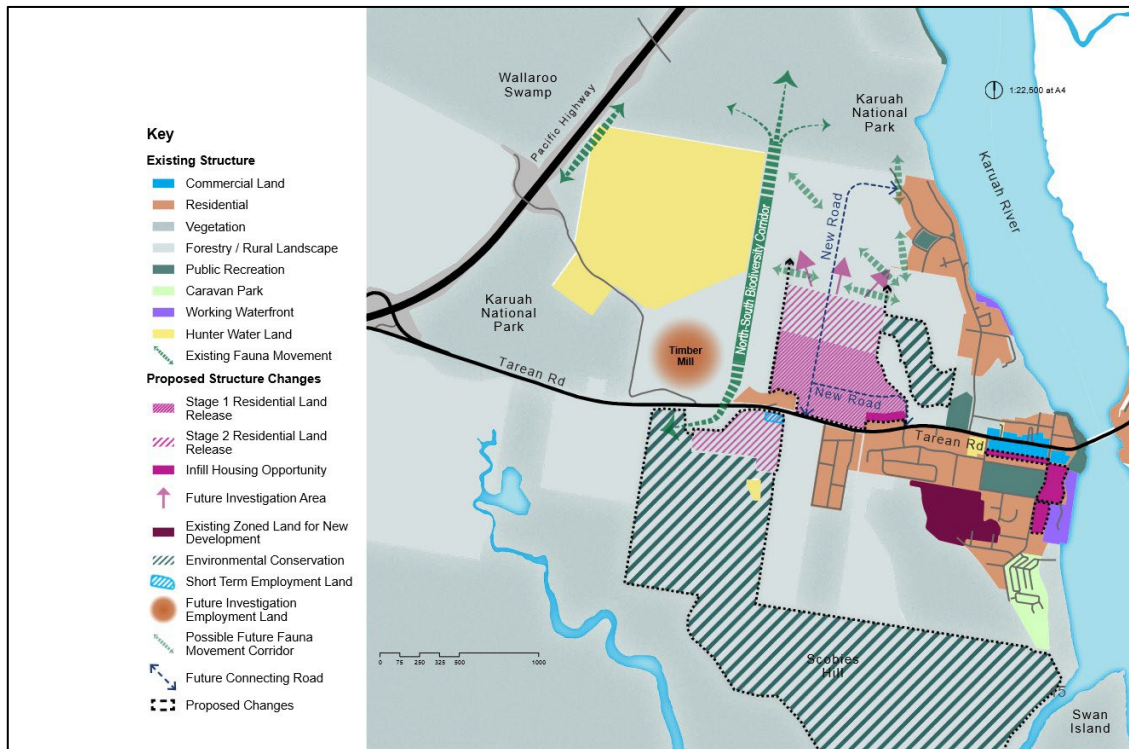


Figure 1: Karuah Place Plan Structure Plan (source: Port Stephens Council)

Port Stephens Community Strategic Plan 2018-2028

Yes, the planning proposal will give effect to the Port Stephens Community Strategic Plan, which sets out to identify community aspirations and priorities over the ten-year period and identify four key focus areas to guide the delivery of these priorities (p.11).

Of the four key focus areas, two are relevant to this planning proposal:

Focus Area Two – Our Place

Focus Area Three – Our Environment

Objective P1 seeks to deliver a strong economy, vibrant local businesses, active investment and create a community that has an adaptable, sustainable and diverse economy (p.17). This planning proposal supports the objective of P1 by creating a new employment area to support the employment growth in Karuah through provision of employment lands. The proposal encourages the business diversification and helps to move away from the reliance of seasonal tourism.

Objective E1 through to E3 seek to protect and enhance the local natural environment and reduce the community's environmental footprint whilst improving the community's resilience to detrimental impacts from the environment (p.18).

This planning proposal supports the objective of Focus Area Three by re-establishing the historic use of the site for commercial purposes on a lot predominantly cleared of vegetation to reduce impacts on local biodiversity. On this basis, the proposal is consistent with the CSP.

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

Greater Newcastle Metropolitan Plan 2036

This Planning Proposal will give effect to the Greater Newcastle Metropolitan Plan 2036 (GNMP) whose stated role is to help achieve sustainable urban growth in the communities that make up Greater Newcastle (p.5).

Strategy 7 of the GNMP identifies that development of the Greater Newcastle Employment Lands will ensure economic opportunities and attract more investment to the area. More specifically, Action 7.1 states:

'Greater Newcastle councils will align local plans to:

- 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.26)
The planning proposal will ensure the adequate supply of employment land in Port Stephens which will promote the growth of commercial businesses within the Karuah locality. It is considered that the planning proposal is consistent with the objectives and intention of the GNMP.

Q6. Is the planning proposal consistent with applicable SEPPs?

An assessment of the relevant applicable State Environmental Planning Policies (SEPPs) against the planning proposal is provided in the table below.

Table 1 – Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
SEPP (Resilience and Hazards) 2021	
Chapter 4 Remediation of Land	<p>The Preliminary Contamination Investigation (APPENDIX 4) conducted in accordance with the contaminated land planning guidelines identified that the site is potentially contaminated by its previous and current land use.</p> <p>A Detailed Contamination Investigation (APPENDIX 5) found that the site had groundwater contamination, and that it was recommended that a Remediation Action Plan was implemented at the DA stage.</p> <p>The planning proposal is consistent with this SEPP.</p>
SEPP (Transport and Infrastructure) 2021	
Chapter 2 Infrastructure	<p>A Traffic Impact Assessment (APPENDIX 6) and Addendum (APPENDIX 7) have been prepared for the proposed LEP amendment. The reports found that there is sufficient infrastructure capacity in the existing surrounding networks to support the proposal, including the existing road networks. All relevant services and infrastructure are available within the area and are capable of being connected.</p> <p>The planning proposal is consistent with this SEPP.</p>
SEPP (Biodiversity and Conservation) 2021	
Chapter 3 - Koala habitat protection 2020	<p>The site is currently zoned RU2 Rural Landscape and is primarily mapped as mainly cleared koala habitat, with a small portion of marginal habitat.</p> <p>The planning proposal will not result in removal of any current or potential koala habitat.</p> <p>The planning proposal is consistent with this SEPP.</p>
SEPP (Primary Production) 2021	
Chapter 2 Primary Production and Rural Development	<p>An Agricultural Lands Assessment was not deemed necessary in this instance as while the proposal relates to rural land, it does not limit the agricultural viability of the land as it only adds potential uses to the site. The site is not considered to be State Significant Agricultural Land, nor is it Biophysical Strategic Agricultural Land (BSAL).</p> <p>To this extent, further assessment of this SEPP is not required.</p>

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

An assessment of relevant Ministerial Directions against the planning proposal is provided in the table below.

Table 2 – Relevant Ministerial Directions

Ministerial Direction	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.	The Hunter Regional Plan 2041 (HRP) is relevant to this planning proposal. As demonstrated in response to Q3, the planning proposal is consistent with the HRP. The planning proposal is consistent with this direction.
1.4 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The planning proposal adheres to (1)(c), that will enable a particular land use (service stations), without imposing additional development standards or requirements on top of any existing requirements or standards within the LEP. The planning proposal is consistent with this direction.
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.	It is not considered that the proposal would result in potential negative impacts on environmentally sensitive areas. The proposal does not relate to land within an existing or proposed environmental protection zone. The planning proposal is consistent with this direction.
3.2 Heritage Conservation The objective of this direction is to conserve items, areas, objects	The site does not contain any heritage items/places listed in the <i>Port Stephens Local Environmental Plan 2013</i> . A search of

and places of environmental heritage significance and indigenous heritage significance.	<p>the Aboriginal Heritage information Management System (AHIMS) (APPENDIX 8) found one (1) Aboriginal site within a 200m radius of the lot. The Aboriginal site is located on the opposing side of Tarean Road, on a site not owned by the proponent or affected by this proposal or potential development.</p> <p>The planning proposal is consistent with this direction.</p>
4. RESILIENCE AND HAZARDS	
<p>4.3 Planning for Bushfire Protection</p> <p>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.</p>	<p>The site is partially mapped as Bushfire Prone Land (Category 1 & 3). A Strategic Bushfire Study has been prepared to support the planning proposal (APPENDIX 3) which addresses Ministerial Direction 4.3 and aligns with the Planning for Bushfire Protection 2019 guidelines (PBP).</p> <p>The Study concludes that the planning proposal is suitable for the site, and bushfire risks can be effectively mitigated by implementing PBP requirements, including temporary and permanent Asset Protection Zones.</p> <p>NSW Rural Fire Service were consulted during the scoping phase and raised no objections to the scoping proposal. Further consultation will be undertaken should Gateway determination be received.</p> <p>The planning proposal is consistent with this direction.</p>
<p>4.4 Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation</p>	<p>A Preliminary Contamination Investigation (APPENDIX 4) has been undertaken in accordance with the contaminated land planning guidelines. The investigation identified that the site is potentially contaminated by its previous and current land use.</p>

are considered by planning proposal authorities.	<p>A Detailed Contamination Investigation (APPENDIX 5) was undertaken and found that the site had groundwater contamination. It is recommended that a Remediation Action Plan be implemented at the DA stage to resolve the remediation of the groundwater including the following:</p> <ul style="list-style-type: none"> • Delineation of the groundwater contamination plume. • Removal of underground petroleum storage systems infrastructure. • Remediation of impacted soils and groundwater from the UPSS voids. <p>The planning proposal is consistent with this direction.</p>
<p>4.5 Acid Sulfate Soils</p> <p>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.</p>	<p>The site contains Acid Sulfate Soils (ASS) Class 5.</p> <p>The planning proposal, seeks to enable a services station, which may include works two metres below the natural ground surface. The specific management of ASS can be addressed at the DA stage.</p> <p>The planning proposal is consistent with this direction.</p>
5. TRANSPORT AND INFRASTRUCTURE	
<p>5.1 Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve improved access to housing, jobs and services by active and public transport, and increasing the choice of available</p>	<p>A Traffic Impact Assessment and Traffic Impact Addendum (APPENDIX 6 & 7) have been prepared to assess the likely impacts of a future service station on the site. As previously noted, the site has existing segregated turning areas on Tarean Road, due to its previous use as a service station.</p> <p>Consideration has been given to Improving Transport Choice – Guidelines for planning and development (DUAP 2001). The planning proposal is considered to be generally consistent with the aims, objectives and principles of <i>Improving</i></p>

<p>transport, and providing for the efficient movement of freight.</p>	<p><i>Transport Choice – Guidelines for planning and development</i> including:</p> <ul style="list-style-type: none"> • Concentrate in centres – The proposal seeks to add additional use to rural land located 1km from the town centre. • Link public transport with land use strategies – The proposal sits within an existing public transport network and provides an essential service to support the network. <p>The proposal responds to the direction of The Right Place for Business and Services – Planning Policy by providing a needed land use that serves both economic and community functions in a location with established accessibility and demand. The site is well located with existing road infrastructure and presents minimal impact on the capacity or safety of the road network.</p> <p>The traffic reports provided concluded that the proposal is considered appropriate from a traffic engineering and safety perspective, subject to the adoption of the recommendations.</p> <p>The planning proposal is consistent with Ministerial Direction 5.1 Integrating Land Use and Transport</p>
7. INDUSTRY AND EMPLOYMENT	
<p>7.1 Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified centres.</p>	<p>The site is identified in the KPP as being a suitable location for short term employment land. The proposal seeks to protect the existing employment land within the Karuah township by limiting the amendment to an additional permitted use. The proposed land use would not undermine the viability of the existing employment areas in the Karuah locality.</p> <p>The planning proposal is consistent with this direction.</p>

9. PRIMARY PRODUCTION	
<p>9.1 Rural Zones</p> <p>The objectives of the direction are to protect the agricultural production value of rural lands. Applies to land that seeks to rezone rural zoned land to a residential, business, industrial, village or tourist zone or increase the permissible density of rural zoned land.</p>	<p>The planning proposal does not seek to rezone the subject site, but instead add an additional permitted use.</p> <p>The site has a history of commercial land-uses including a service station and retail premises and is not utilised as agricultural land. To this extent, the planning proposal is not anticipated to affect the existing rural zone.</p> <p>The planning proposal is consistent with this direction.</p>
<p>9.2 Rural Lands</p> <p>The objective of this direction is to protect the agricultural production value of rural land, facilitate the orderly and economic use of rural land for rural purposes.</p>	<p>This direction applies because the proposal seeks to incorporate an additional permitted use into a rural zone.</p> <p>The planning proposal is consistent with the Hunter Regional Plan. As the site is already fragmented and has a history of being a service station it is not expected to result in further fragmentation of agriculture and primary production lands or result in land use conflict.</p> <p>This planning proposal is consistent with this direction.</p>

Site-specific merit

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 as a result of the proposal?

The majority of the subject site is cleared and highly disturbed. Future development of the site will be limited to land that has been cleared or is already developed. All bushfire mitigation measures; including asset protection zones have considered the existing and potential biodiversity values to avoid impact where possible.

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

Yes. There are no known environmental features of significance within the development footprint or the balance of the site. The development footprint is wholly located within that part of the site that is predominantly cleared. A further review of other environmental impacts are outlined below.

Bushfire

As previously discussed, the site is partially mapped as bushfire prone land, with Vegetation Category 3 mapping. A Strategic Bushfire Study has been undertaken for the planning proposal. This is provided at **APPENDIX 3**. **Figure 4** provides a visual overview of the bushfire risk of the site and surrounding area.

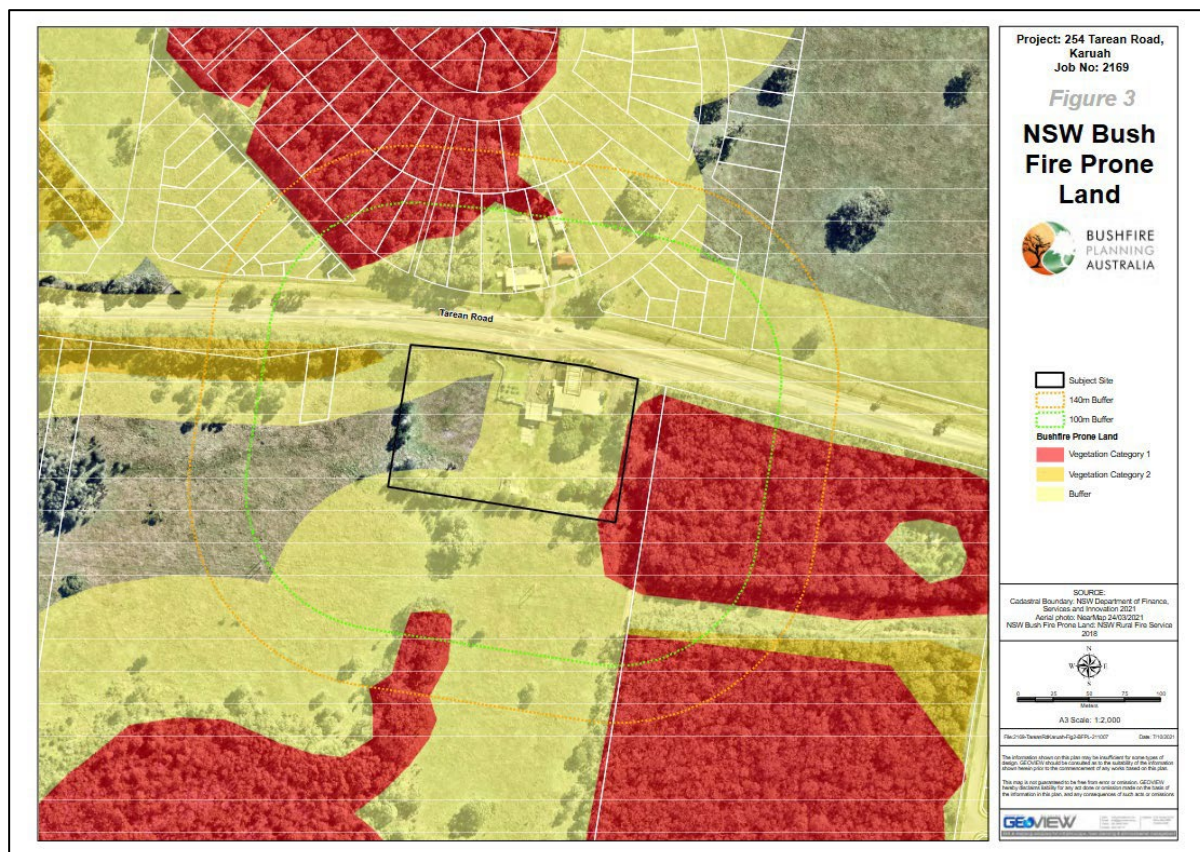


Figure 2: Bushfire prone land map (source: Bushfire Planning Australia, 2022)

The Strategic Bushfire Study found that the site was exposed to a high bushfire hazard mainly located to the south/south-east of the subject site. The predominant vegetation surrounding the site is consistent with forest vegetation formation as described within *Planning for Bush Fire Protection 2019* (PBP 2019).

The Study found that the proposed land use was not considered completely incompatible with the surrounding environment, subject to sound bushfire management. Appropriate measures include:

- Any future DA for hazardous industry shall be supported by a Fire Safety Study (FSS) prepared in accordance with the NSW Department of Planning, Housing and Infrastructure (DPHI) *Hazardous Industry Planning and Assessment Papers*. The FSS must demonstrate all components and infrastructure associated with a service station will be designed and constructed with the relevant specifications and standards and are able to withstand high levels of sustained radiant heat exposure.
- Future asset protection zones (APZs) should be based on a minimum FDI of 100. APZs will be fully contained within future lot boundaries and will not rely on adjoining land, or the existing overhead electricity transmission line easements.
- The capacity of the site must be sufficient to deal with occupants of the site in an emergency situation; this should include a minimum of two points of access which provide two different routes of travel away from the site.
- A traffic report should be prepared which assesses the capacity of the site in the event of an emergency, assuming that road closures of public roads surrounding the site might occur.
- An emergency evacuation and management plan should be prepared which demonstrates the required actions to be undertaken in the event of a bushfire.
- Details of the proposed development should be provided to the Local Emergency Management Committee to enable awareness in emergency response.

Contamination

Given the previous site uses, a Detailed Site Investigation (DSI) (**APPENDIX 5**) and a Preliminary Site Investigation have been undertaken for the site (**APPENDIX 4**). **Figure 5** provides a visual overview of the DSI borehole locations.

The DSI and previous reporting considered that the site had been impacted by groundwater contamination comprising total recoverable hydrocarbons (TRH) and polycyclic aromatic hydrocarbons (PAH) at concentrations exceeding the adopted site trigger values for commercial and industrial land uses and the presence of non-aqueous phase liquid (NAPL) in the groundwater. Groundwater in the forecourt area of the site was impacted with TRH and PAH. As such, remediation of the site and groundwater is recommended. This includes:

- Delineation of the groundwater contamination plume.
- Removal of underground petroleum storage systems infrastructure.
- Remediation of impacted soils and groundwater from the underground petroleum storage systems (UPSS) voids.

The DSI recommends that a Remediation Action Plan (RAP) be prepared to guide the remediation works and be implemented by a suitably qualified person. It is proposed that the RAP be prepared at the DA stage relating to the redevelopment of the site for the purposes of a service station.



Figure 3: Borehole testing locations (source: JM Environments, 2024)

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

Yes. The additional permitted use for a service station will have positive social and economic effects. In particular, the development of this land for a service station will generate employment opportunities and release valuable retail floorspace in the Karuah commercial core, providing space to allow new retail and commercial businesses to be established in the township. The community benefit associated with future development will be found in the provision of an appropriately located commercial area that provides floorspace to local businesses to grow and service the future population needs of the Port Stephens Local Government Area.

Section D – Infrastructure (Local, State and Commonwealth)

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

Services

Connection to reticulated water and sewer is available. Consultation with Hunter Water regarding expansion of connections may be required as a Gateway condition.

Traffic

A Traffic Impact Assessment and Traffic Impact Addendum (**APPENDIX 6-7**) to assess the likely impacts of a future service station on the site. As previously noted, the site has existing segregated turning areas on Tarean Road, due to its previous use as a service station.

The traffic reporting provided concluded that the proposal is considered appropriate from a traffic engineering and safety perspective, subject to the adoption of recommendations within each report. The proposed future service station is not expected to adversely affect the operation of Tarean Road or the surrounding network.

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?

Consultation has been undertaken with the following State and Commonwealth agencies:

- Department of Planning, Housing and Infrastructure (DPHI)
- Transport for NSW (TfNSW)
- NSW Department of Climate Change, Energy, the Environment and Water
- NSW Rural Fire Services (RFS)
- Hunter Water Corporation (HWC)
- Karuah Local Aboriginal Land Council

No agencies raised any objections to the planning proposal. Comments raised by agencies will be, and are currently, being addressed at the development application stage.

PART 4 – Mapping

The proposed map amendments are to:

- Permit a service station on Lot 1, DP50714, 254 Tarean Road, Karuah, within the RU2 zone as shown below in Figure 4.

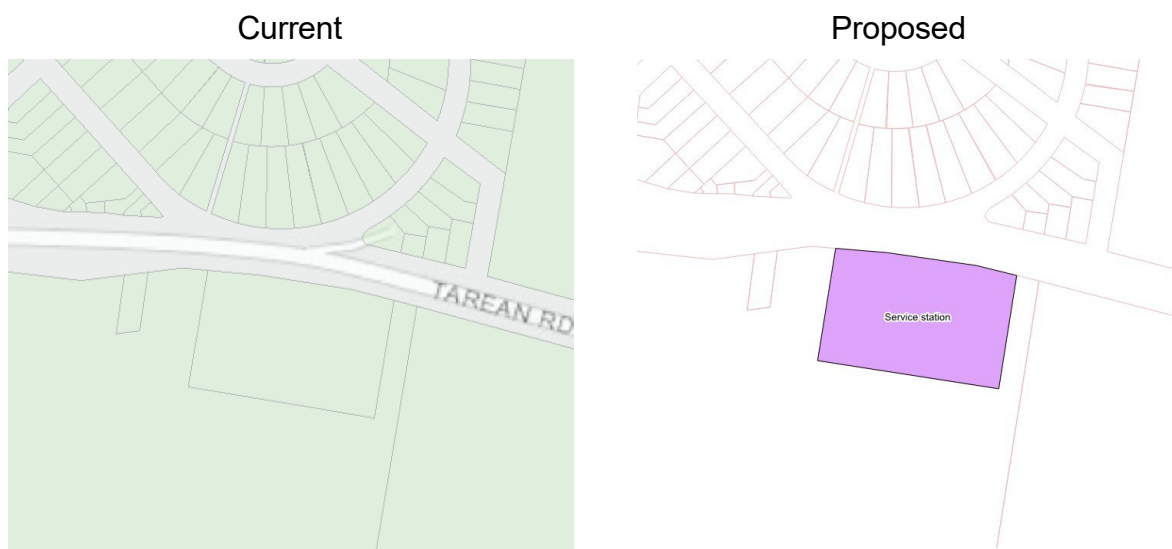


Figure 4 - Current and proposed Additional Permitted Use Map

PART 5 – Community consultation

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

The exhibition material would be on display at the following locations during normal business hours:

- Council's Administration Building, 116 Adelaide Street, Raymond Terrace
- Raymond Terrace Library, Port Stephens Street, Raymond Terrace
- Tomaree Library, 7 Community Close, Salamander Bay

The planning proposal would also be available on Council's website and the NSW Planning Portal.

PART 6 – Project timeline

An indicative project timeframe is provided below based on the Department of Planning and Environment's benchmark timelines for a 'Standard' LEP amendment Planning Proposal

Stage	Timeframe and/or date
Consideration by council	December 2024 - March 2025
Council decision	May 2025
Gateway referral to the Department	May 2025
Gateway determination	June 2025
Commencement and completion of public exhibition period	July 2025 – September 2025
Finalisation of planning proposal	September 2025 – November 2025
Gazettal of LEP amendment	December 2025